



Village of Palmetto Bay
FLORIDA

ZONING ANALYSIS

APPLICANT: Bertrand & Kerri M. Léon

PH: VPB-12-002

ADDRESS: 16371 SW 84th Place

ZIP: 33157-3685

SECTION: 27-55-40

HEARING DATE: May 21, 2012

COUNCIL DISTRICT: 2

ITEM: 1

A. GENERAL INFORMATION

REQUEST: The applicants are requesting a variance of setback requirements, to allow for the construction of a swimming pool behind an existing single-family home to setback 7'-8" from the interior side (north) property line where 20' is required in the Estate Modified Single-Family Residential District (E-M). This property is a legally non-conforming parcel.

ADDRESS: 16371 SW 84th Place

LOT SIZE: 15,017 sq. ft.

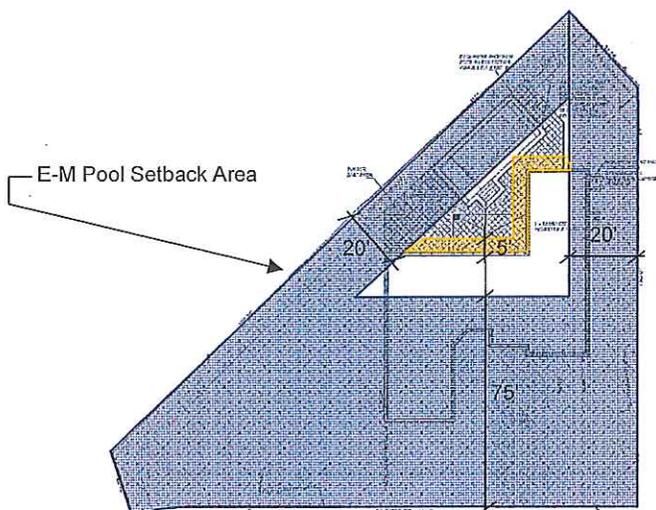
FOLIO #: 3350270500200

B. BACKGROUND

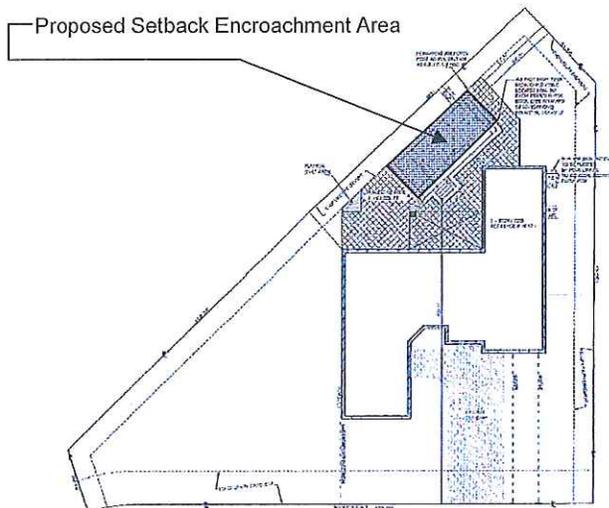
The applicants, Bertrand and Kerri M. Léon, wish to locate a pool at the back of their property. Identification of the setbacks was previously established with the existing home on the lot. Because the lot is of an irregular shape, there is no place to locate the pool that would comply with required setbacks as demonstrated in Diagram A below. As such, the applicants are requesting to reduce the required interior side setback from 20 feet to 7'-8".

Diagram A

Existing Pool Set Back Requirements



Pool Encroachment Area



As illustrated above, the irregular shape of the lot requires that the applicants request a variance of setback requirements to accommodate the pool.

C. ZONING HEARING HISTORY (4495)

On February 9th, 1989, the Board of County Commissioners via resolution No. Z-25-89 approved a district boundary change from Agricultural (AU) to Estate Modified Single-Family Residential District (EU-M).

On July 12th, 1989, the Board of County Commissioners via resolution 4-ZAB-265-89 approved a variance of lot frontage requirements to permit 43 proposed EM-M lots with frontages varying 50' – 118' where 120' is required, dual frontage of 52' and 90' where 120' is required and a variance of lot depth requirements of 100' where 115' is required.

In December 2009, the Village of Palmetto Bay rezoned the entire village under its own land development code, and rezoned the property to E-M, Village designation of the Estate Modified Single-Family Residential District, which district is substantially similar to the former County designation of EU-M.

D. NEIGHBORHOOD CHARACTERISTICS

ZONING

FUTURE LAND USE DESIGNATION

Subject Property:

E-M; Estate Modified
 Single-Family District

Estate Density Residential (EDR)
 Less than 2.5 D.U. per gross acre

Surrounding Properties

NORTH: E-M; Estate Modified
 Single-Family District

Estate Density Residential (EDR)
 Less than 2.5 D.U. per gross acre

SOUTH: E-M; Estate Modified
 Single-Family District

Estate Density Residential (EDR)
 Less than 2.5 D.U. per gross acre

E-M; Estate Modified
 Single-Family District

Estate Density Residential (EDR)
 Less than 2.5 D.U. per gross acre

WEST: E-M; Estate Modified
 Single-Family District

Estate Density Residential (EDR)
 Less than 2.5 D.U. per gross acre

E. SITE AND BUILDINGS

Site Plan Review:	Acceptable
Scale/Utilization of Site:	Acceptable
Location of Building(s):	Acceptable
Compatibility:	Acceptable
Landscape Treatment:	Acceptable
Open Space:	Acceptable
Buffering:	Acceptable
Access:	Acceptable
Visibility/Visual Screening:	Acceptable

F. ANALYSIS

The following is a review of the request pursuant to variance criteria at Section 30-30.6(e) of the Code of Ordinances. The Background Section of this report is hereby incorporated into this analysis and its corresponding criteria by reference.

Criteria (1) That the variance is in fact a variance allowed in this Division and is within the province of Village Council.

Analysis: Pursuant to Section 30-30.6(b) of the Code, a variance may be requested for setback lines; lot width; street frontage; lot depth; lot coverage; landscape or open space requirements; height limitations; yard regulations; fence and wall regulations; signs; parking; and flood regulations approved under Section 30-100.6, of the Code of Ordinances, and other matters specifically permitted as variances pursuant to this Division. The request is for a setback variance.

Finding: Consistent

Criteria (2) Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

Analysis: The subject property is an irregular lot located within the Hidden Valley Estates Subdivision and was developed with a variance of lot frontage requirements in 1997. As demonstrated at Diagram A above, the irregularity of the lot creates a special condition which would require a variance to locate a pool on the property.

Finding: Consistent

Criteria (3) That the special conditions and circumstances do not result from the actions of the applicant.

Analysis: The special condition that exists is due to the irregular triangular shape of the parcel and not that of any action taken by the applicant. The front setback requirement for a pool in the E-M district is 75' from the front 25' from the rear and 20' from the interior side. Due to the triangular shape of the parcel, a pool cannot be placed without infringing into any of the setbacks. See diagram A

Finding: Consistent

Criteria (4) That granting of the variance requested will not confer on the applicants any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.

Analysis: Swimming pools are a common amenity to a single family home and many homes within the neighborhood have them. Granting of the request will allow the applicant to construct a pool and enjoy the same amenity as their neighbors.

Finding: Consistent

Criteria (5) Financial difficulties or economic hardship shall not be a factor for determining whether a variance should be granted.

Analysis: Financial or economic hardships may not be considered in reviewing this application and no claim has been as such.

Finding: Consistent

Criteria (6) That literal interpretation of the provisions of Chapter 30 would deprive the applicants of rights commonly enjoyed by other properties in the same zoning district under the terms of Chapter 30 and would work unnecessary and undue hardship on the applicant. The purchase of property which has an illegal nonconformity with Chapter 30 shall not be considered a hardship for the granting of a variance, nor shall conditions peculiar to the property owner be considered.

Analysis: Swimming pools are a common amenity to a single family home and many homes within the neighborhood have them. As demonstrated at Diagram A above, the irregularity of the lot prevents locating a pool that can comply with existing setback criteria. Without an approved variance, the property owners would be denied an amenity commonly enjoyed by other property owners within the neighborhood.

Finding: Consistent

Criteria (7) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Analysis: The pool in question is to be 13'-6" x 30' which is just under the average size of a typical pool (15'x30'). By limiting the size of the pool the applicant has provided for a setback of 7'-8". Given such, the request may be considered the minimum variance that will make reasonable use of the land and structure.

Criteria (8) That the grant of the variance will be in harmony with the general intent and purpose of the Comprehensive Plan and Chapter 30, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Analysis: The request may be considered in harmony with the general intent and purpose of the Comprehensive Plan because the scale and size of the proposed pool is compatible with the character and size of other pools in the immediate and surrounding neighborhood.

Finding: Consistent

Criteria (9) In granting any variance, Village Council may prescribe appropriate conditions to mitigate the proposed variance and to ensure safeguards in conformity with the Comprehensive Plan and Chapter 30 or any other duly enacted ordinance. Violation of conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter and shall nullify the variance development approval.

Analysis: The intent of this criterion is to provide the Council with an opportunity to recommend any conditions based on their evaluation and understating of the technical and non-technical aspects of the application. Should the Mayor and Council be inclined to approve the request with conditions they should provide

clear guidance to mitigate the potential impacts created by the proposed variances. In addition, the Council can recommend conditions to ensure compliance with the Comprehensive Plan, Chapter 30 of the LDC or any duly enacted ordinance. The Council's suggestions are intended to provide conditions that would augment or revise the conditions that may be proposed by the Planning Department.

Finding: As determined by the Mayor and Council

G. NEIGHBORHOOD SERVICES

Code Compliance	No Objection
DERM	Required
Building and Capital Projects	Required
Public Works	Required

H. RECOMMENDATION

Staff recommends approval with condition under Section 30-30.6 of the Code to allow plans entitled "Bertrand Leon, 16371 SW 84th Place, Miami FL, 33157" consisting of five sheets dated stamped received March 26th, 2012, as prepared by Fernando Morales P.E..

1. The applicants are to comply with the requirements of all other applicable departments/agencies as part of the Village of Palmetto Bay building permit submittal process.



Darby Delsalle, AICP
Director of the Department of Planning & Zoning

APPLICATION

VPB-12-002 BERTRAND & KERRI LEON

March 23rd, 2012

ZONING HEARING APPLICATION
Village of Palmetto Bay
LETTER OF INTENT

Applicant: Bertrand and Kerri Leon
Applicant Phone: 786-390-4115
Mailing Address: 16371 SW 84 PLACE
Palmetto Bay, Florida 33157
Folio. No.: 33-5027-050-0200

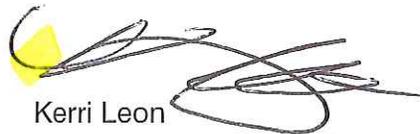
To Whom It May Concern:

I, the homeowner, would like to build a swimming pool at the above mentioned address. What is being requested through this Zoning Hearing Application is a variance of the required swimming pool setbacks for the rear of the property. The setbacks requested to be modified is the rear setback of 20' to 7'-8". The reason for this request is to allow the construction of a swimming pool, while still complying to other building and zoning codes. Without this approval, we would be unable to build and enjoy a swimming pool at our residence. We purchased our home in Palmetto Bay with the intention of building a swimming pool. It would be extremely detrimental to our family for this not to be able to exist at all. Your serious consideration of this request would be highly appreciated.

Sincerely,



Bertrand Leon



Kerri Leon

RECEIVED
Zoning Department
3/26/12
Village of Palmetto Bay
Building & Zoning Department
By: 

REVISION
SIDE



RECEIVED
Zoning Department

3/26/12

Village of Palmetto Bay
Building & Zoning Department
By: *[Signature]*

ZONING HEARING (ZH) APPLICATION
Village of Palmetto Bay, Department of Planning and Zoning

LIST ALL FOLIO #S: 33-5027-050-0200 Date Received _____

1. NAME OF APPLICANT (Owner(s) of record of the property or lessee. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

BERTRAND LEON & W KERRI M. LEON

2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:

Mailing Address: 16371 SW 84 PL.
City: Palmetto bay State: FL Zip: 33157 Phone#: 786.390.4115

3. OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:

Owner's Name (Provide name of ALL owners): Bertrand Leon & W Kerri M. LEON
16371 SW 84 PL. Palmetto bay, FL 33157
City: Palmetto bay State: FL Zip: 33157 Phone#: 786.390.4115

4. CONTACT PERSON'S INFORMATION:

Name: Company: Genie Pools/Liz Guardia. 12940 SW 128 st. Suite 201
City: Miami State: FL Zip: 33186 Cell Phone#: _____
Phone#: 305-260-9555 Fax#: 305-260-9777 E-mail: Lguardia@geniepools.com

5. LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, range. If the application contains multiple rezoning requests, a legal description for each requested zone must be provided. Attach separate sheets as needed and clearly label (identify) each legal description attached. In addition to paper version it is requested that lengthy metes and bounds descriptions be provided on diskette or compact disc in Microsoft Word or compatible software.)

Mirelda Estates PB 138-26 LOT 1, BLK 3 LOT SIZE 15,017 sq. FT.
F/A/U 30-5027-000-0700 OR 18726-0824 0799 1.

6. ADDRESS OR LOCATION OF PROPERTY (For location, use description such as NE corner of, etc.)

16371 SW 84 PL. Palmetto bay, FL 33157

7. SIZE OF PROPERTY (in acres): 0.344 (divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property acquired leased: 11/2011 **9. Lease term:** N/A years
(month & year)

10. IS CONTIGUOUS PROPERTY OWNED BY THE SUBJECT PROPERTY OWNER(S)? yes
no If yes, provide complete legal description of said contiguous property.

N/A

11. Is there an option to purchase or lease the subject property or property contiguous thereto? no yes (If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

12. PRESENT ZONING CLASSIFICATION: E-M

13. APPLICATION REQUESTS (Check all that apply and describe nature of the request in space provided)

District Boundary(zone) Changes [Zone(s) requested]: _____
(Provide a separate legal description for each zone requested)

Unusual Use: _____

Use Variance: _____

Non-Use Variance: OF SET BACK REQUIREMENTS TO PERMIT A POOL

Alternative Site Development: Option: _____

Special Exception: _____

Modification of previous resolution/plan: _____

Modification of Declaration or Covenant: _____

14. Has a public hearing been held on this property within the eighteen (18) months? no yes.
If yes, provide applicant's name, date, purpose and result of hearing, and resolution number:

15. Is this application a result of a violation notice? no yes. If yes, give name to whom the violation notice was served: and describe the violation: N/A

16. Describe structures on the property: CONCRETE BLOCK & STUCCO ONE-STORY HOUSE

17. Is there any existing use on the property? no yes. If yes, what use and when established?
Use: RESIDENTIAL Year: 1997

Planning Staff Use Only

Base Fee	Reviewed and Accepted by	Date
Receipt No.	Deemed Complete By	Date



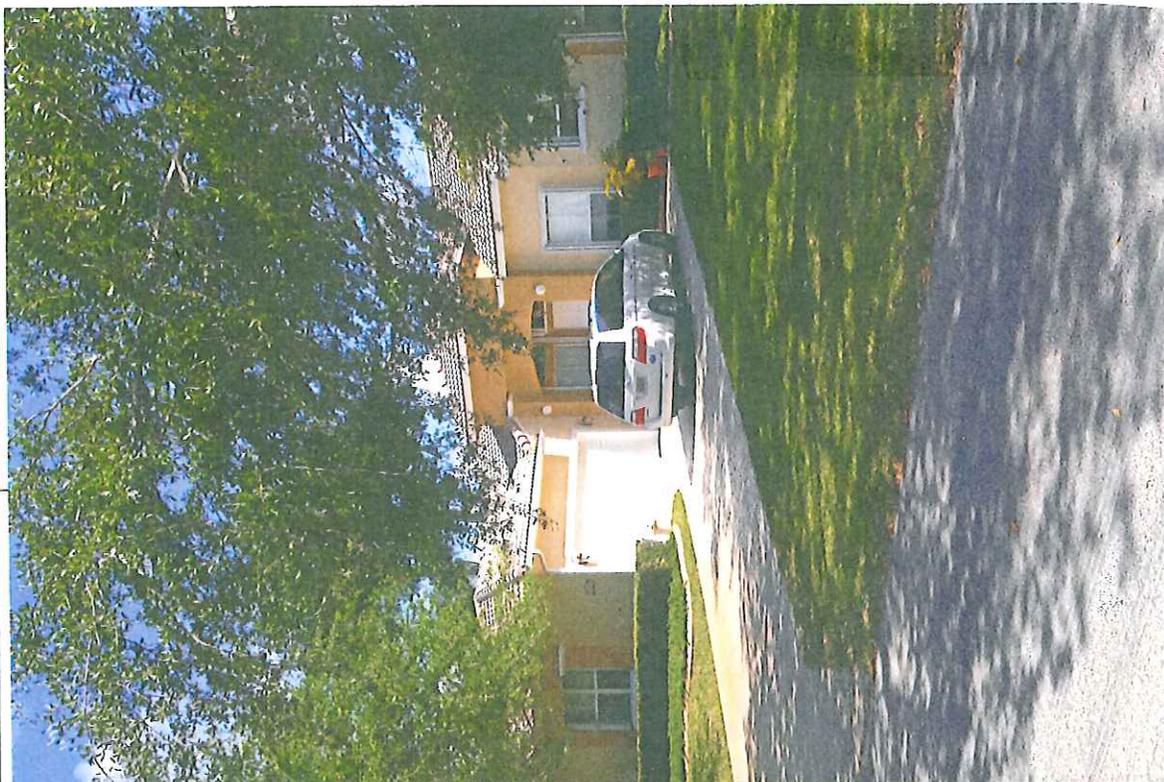
Project site looking south
16371 SW 84th Place, Palmetto Bay, FL 33157



Project site looking north

PHOTOGRAPHS

FRONT ELEVATION



APPLICANT'S AFFIDAVIT

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

OWNER OR TENANT AFFIDAVIT

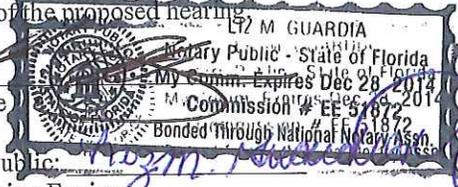
(I)(WE), KERRI & BERTRAND LEW, being first duly sworn, depose and say that (I am) (we are) owner tenant of the property described and which is the subject matter of the proposed hearing

Signature

Sworn to and subscribed to before me this 23 day of MARCH, 2012

Signature

Notary Public: _____
Commission Expires: _____



CORPORATION AFFIDAVIT

(I) (WE), _____, being first duly sworn, depose and say that (I am) (we are) the President Vice-President Secretary Asst. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the owner tenant of the property described herein and which is the subject matter of the proposed hearing.

Attest: _____

Authorized Signature

Office Held

(Corp. Seal)

Sworn to and subscribed to before me
This _____ day of _____, _____.

Notary Public: _____
Commission Expires: _____

PARTNERSHIP AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am) (we are) partners of the hereinafter named partnership, and as such, have been authorized to file this application for a public hearing; and that said partnership is the owner tenant of the property described herein which is the subject matter of the proposed hearing.

By _____ %

By _____ %

By _____ %

By _____ %

Sworn to and subscribed to before me
This _____ day of _____, _____.

Notary Public: _____
Commission Expires: _____

ATTORNEY AFFIDAVIT

I, _____, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am Attorney for the Owner of the property described and which is the subject matter of the proposed hearing.

Signature

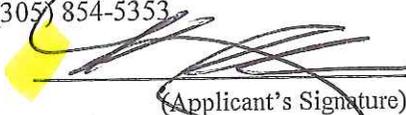
Sworn to and subscribed to before me
This _____ day of _____, _____.

Notary Public: _____
Commission Expires: _____

RESPONSIBILITIES OF THE APPLICANT AFFIDAVIT

I AM AWARE THAT:

1. The Public Works Department, the Department of Environmental Resources Management (DERM), and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Public Works conditions and advise this office in writing if my application will be withdrawn.
2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property and I am responsible for paying the additional radius mailing costs. In addition to mailing costs, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred. I understand that fees must be paid promptly. Applications withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. Refunds must be requested in writing.
3. The Florida Building code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and a building permit will probably be required. I am responsible for obtaining any required permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
4. The 3rd District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Plan (CP) cannot be approved by a zoning board based upon considerations of fundamental fairness. Therefore, I acknowledge that if the hearing request is inconsistent with the CP and I decide to go forward then my hearing request can only be denied or deferred, but not approved.
5. Any covenant to be proffered must be submitted to the Village Attorney, on County form, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Village Attorney can advise as to additional requirements applicable to foreign corporations. Documents submitted to the Village Attorney must carry a cover letter indicating subject matter, application number and hearing date. Village Attorney may be reached at (305) 854-5353.



(Applicant's Signature)

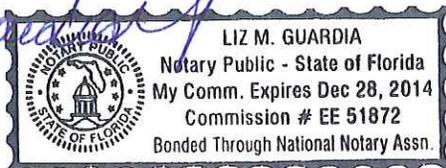
KERRI LEON

(Print Name)

Sworn to and subscribed before me this 23 day of March, 2012. Affiant is personally known to me or has produced _____ as identification.

(Notary Public)

My commission expires my commission expires



OWNERSHIP AFFIDAVIT
FOR
INDIVIDUAL

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Public Hearing No. _____

Before me, the undersigned authority, personally appeared _____
_____ hereinafter the Affiant, who being first duly sworn by me, on oath, deposes
and says:

1. Affiant is the fee owner of the property that is the subject of the proposed hearing.
2. The subject property is legally described as:

16371 SW 84 PLACE PALMETTO BAY FL 33157
33-5027-050-0200

3. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

Signature

[Signature]
Affiant's signature

Print Name

KEDRI LEON
Print Name

Signature

Print Name

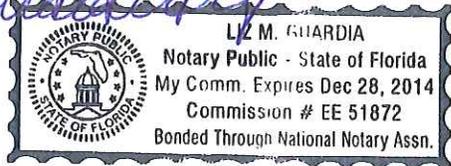
Sworn to and subscribed before me on the 23 day of March 2012.

Affiant is personally known to me or has produced _____ as identification.

Notary

[Signature]

(Stamp/Seal)
Commission Expires:





Summary Details:	
Folio:	3350270500200
Site Address:	16371 SW 84 PL
	Bing Maps
	Street View
	County Permits by Folio
Mailing Address:	16371 SW 84 PL
	MIAMI FL
	331573685

Property Information:	
Beds/Baths:	4 / 3
Floors:	1
Living Units:	1
Adj Sq Footage:	2,840
Lot Size:	15,017 SQ FT
Year Built:	1997
Legal Description:	MIRELDA ESTATES PB 138-26 LOT 1 BLK 3 LOT SIZE 15017 SQ FT F/A/U 30-5027-000-0700 OR 18726-0824 0799 1 VIEW PLAT 138-26 Deed:18726-0824

Sale Information:			
Sale Date:	7 /1999	3 /1997	8 /1994
Sale Amount:	\$290,000	\$261,400	\$1,624,000
Sale O/R:	18726-0824	17567-1286	16466-0810

Assessment Information:		
Year:	2011	2010
Land Value:	\$123,820	\$123,820
Building Value:	\$245,376	\$246,654
Market Value:	\$369,196	\$370,474
Assessed Value:	\$279,572	\$275,441
Homestead Exemption:	\$25,000	\$25,000
Senior Exemption:	\$0	\$0
Agricultural Exemption:	\$0	\$0
Widow Exemption:	\$0	\$0
Disabled Exemption:	\$0	\$0
Veteran Exemption:	\$0	\$0

5982 NW 7th STREET, SUITE 202
 MIAMI, FLORIDA 33126
 TELEPHONE: (305) 220-3171
 FA: (305) 554-7822

Nova Surveyors Inc.

LAND SURVEYORS

SURVEY No. 99-0005452

SHEET NO. 1 OF 2

DRAWN BY: AA

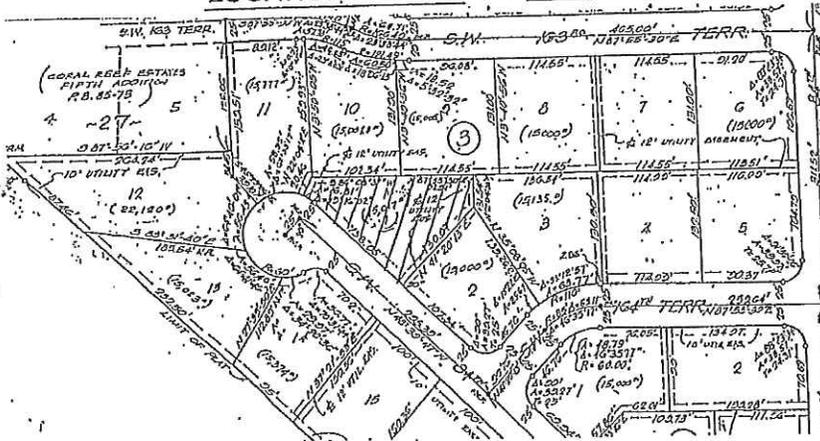
Survey of Lot: 1 Block: 3
 Subdivision: MIRELDA ESTATES
 According to the Plat thereof as recorded in the Plat Book No. 138
 at Page No. 26 of the public records of MIAMI-DADE County, Florida.

Property Address: 16371 SW 84 PL, MIAMI, FL 33157
 For: MICHAEL R. GRAHAM

Date: 07/19/1999

LOCATION SKETCH

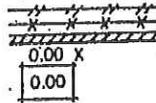
Scale 1" = 100'



ABBREVIATIONS AND MEANING

- | | | |
|---|---|--------------------------------------|
| A = ARC. | F.N.D. = FOUND NAIL & DISK | P.R.C. = POINT OF REVERSE CURVE. |
| A/C = AIR CONDITIONER PAD. | FR. = FRAME. | PROP. COR. = PROPERTY CORNER. |
| A.E. = ANCHOR EASEMENT. | FT. = FEET. | |
| AR = ALUMINUM ROD. | FNIP. = FEDERAL NATIONAL INSURANCE PROGRAM. | P.B. = PLAT BOOK. |
| AS = ALUMINUM SHED. | F.N. = FOUND NAIL. | PG. = PAGE. |
| ASPH. = ASPHALT. | H. = HIGH (HEIGHT). | P.W.Y. = PARKWAY. |
| B.C. = BLOCK CORNER. | IN. & EG. = INGRESS AND EGRESS EASEMENT. | P.M. = PERMANENT REFERENCE MONUMENT. |
| BLDG. = BUILDING. | LP. = LIGHT POLE. | P.L.S. = PROFESSIONAL LAND SURVEYOR. |
| B.M. = BENCH MARK. | L.F.E. = LOWEST FLOOR ELEVATION. | R. = RECORDED DISTANCE. |
| B.O.B. = BASIS OF BEARINGS. | L.M.E. = LAKE MAINTENANCE EASEMENT. | RR. = RAILROAD. |
| C. = CALCULATED. | ' = MINUTES. | RES. = RESIDENCE. |
| C.B. = CATCH BASIN. | M. = MEASURED DISTANCE. | R.W. = RIGHT-OF-WAY. |
| C.B.S. = CONCRETE BLOCK STRUCKS. | MON. = MONUMENT. | RAD. = RADIUS OR RADIAL. |
| CBW = CONCRETE BLOCK WALL. | M.H. = MANHOLE. | R.P. = RADIUS POINT. |
| CH. = CHORD DISTANCE. | M.L. = MONUMENT LINE. | RGE. = RANGE. |
| CH.B. = CHORD BEARING. | N.A.P. = NOT A PART OF. | SEC. = SECTION. |
| CL. = CLEAR. | NGVD = NATIONAL GEODETIC VERTICAL DATUM. | STY. = STORY. |
| C.L.F. = CHAIN LINK FENCE. | N. = NORTH. | SWK. = SIDEWALK. |
| C.M.E. = CANAL MAINTENANCE EASEMENT. | N.T.S. = NOT TO SCALE. | S.I.P. = SET IRON PIPE L.B. #6044 |
| CONC. = CONCRETE. | NO. = NUMBER. | S. = SOUTH. |
| C.P. = CONC. PORCH. | O/S. = OFFSET. | S.N.D. = SET NAIL & DISK L.B. #6044 |
| C.S. = CONCRETE SLAB. | OH. = OVERHEAD. | SP. = SCREENED PORCH. |
| D.E. = DRAINAGE EASEMENT. | O.H.L. = OVERHEAD UTILITY LINES | " = SECONDS. |
| D.M.E. = DRAINAGE MAINTENANCE EASEMENT. | OVH. = OVERHANG. | T. = TANGENT. |
| DRIVE. = DRIVEWAY. | O.R.B. = OFFICIAL RECORD BOOK. | TWP. = TOWNSHIP. |
| o = DEGREES. | P.V.M.T. = PAVEMENT. | U.E. = UTILITY EASEMENT. |
| E. = EAST. | PL. = PLANTER. | UTL. = UTILITY. |
| E.T.P. = ELECTRIC TRANSFORMER PAD. | PL. = PROPERTY LINE. | U.P. = UTILITY POLE. |
| ELEV. = ELEVATION. | P.C.C. = POINT OF COMPOUND CURVE. | W.M. = WATER METER. |
| ENCR. = ENCROACHMENT. | P.C. = POINT OF CURVE. | W.F. = WOOD FENCE. |
| F.H. = FIRE HYDRANT. | PT. = POINT OF TANGENCY. | W.S. = WOOD SHED. |
| F.I.P. = FOUND IRON PIPE. | POC. = POINT OF COMMENCEMENT | W. = WEST. |
| F.I.R. = FOUND IRON ROD. | POB. = POINT OF BEGINNING. | ∠ = ANGLE. |
| F.F.E. = FINISHED FLOOR ELEVATION. | | |

LEGEND TYPICAL



- WOOD FENCE.
- CHAIN LINK FENCE.
- C.B.S. WALL (C.B.W.)
- EXISTING ELEVATIONS.
- PROPOSED ELEVATIONS.

SURVEYOR'S NOTES: 1) IF SHOWN, BEARINGS ARE REFERRED TO AN ASSUMED MERIDIAN, BY SAID PLAT IN THE DESCRIPTION OF THE PROPERTY. IF NOT, THEN BEARINGS ARE REFERRED TO COUNTY TOWNSHIP MAPS.

2) IF SHOWN, ELEVATIONS ARE REFERRED TO

B.M.# _____ ELEV. _____
 OF N.G.V.D. OF 1929.

3) THIS IS A SPECIFIC PURPOSE SURVEY.

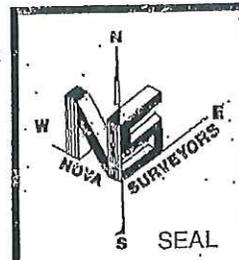
4) THE CLOSURE IN THE BOUNDARY SURVEY IS ABOVE 1:7600 FT. I HEREBY CERTIFY THAT THIS "BOUNDARY SURVEY" OF THE PROPERTY DESCRIBED HEREON, AS RECENTLY SURVEYED AND DRAWN UNDER MY SUPERVISION, COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE PURSUANT TO 472.027, FLORIDA STATUTES.

BY: *John Ibarra* 7-20-99
 JOHN IBARRA (DATE OF FIELD WORK).
 PROFESSIONAL LAND SURVEYOR NO. 5204
 STATE OF FLORIDA. (VALID COPIES OF THIS SURVEY WILL BEAR THE EMBOSSED SEAL OF THE ATTESTING LAND SURVEYOR).

REVISED ON _____
 REVISED ON _____

LEGAL NOTES TO ACCOMPANY SKETCH OF SURVEY (SURVEY):
 EXAMINATION OF THE ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING THE PROPERTY. THIS SURVEY IS SUBJECT TO DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS OR EASEMENTS OF RECORD. LEGAL DESCRIPTIONS PROVIDED BY CLIENT OR ATTESTING TITLE COMPANY.
 BOUNDARY SURVEY MEANS A DRAWING AND/OR A GRAPHIC REPRESENTATION OF THE SURVEY WORK PERFORMED IN THE FIELD, COULD BE DRAWN AT A SHOWN SCALE AND/OR NOT TO SCALE. EASEMENTS AS SHOWN ARE PER PLAT BOOK, UNLESS OTHERWISE SHOWN.
 THE TERM "ENCROACHMENT" MEANS VISIBLE AND ABOVE GROUND ENCROACHMENTS. ARCHITECTS SHALL VERIFY ZONING REGULATIONS, RESTRICTIONS AND SETBACKS AND THEY WILL BE RESPONSIBLE OF SUBMITTING PLOT PLANS WITH THE CORRECT INFORMATION FOR THEIR APPROVAL FOR AUTHORIZATION TO AUTHORITIES IN A NEW CONSTRUCTION, UNLESS OTHERWISE NOTED. THIS FIRM HAS NOT ATTEMPTED TO LOCATE FOOTINGS AND/OR FOUNDATIONS.
 FENCE OWNERSHIP NOT DETERMINED.
 THIS PLAN OF SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON. THE CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PARTY.
 THE FNIP FLOOD MAPS HAVE DESIGNATED THE HEREIN DESCRIBED LAND TO BE

Situated in Zone: AE Community/Panel/Suffix: 120635-0267-J
 Date of Firm: 03/02/1994 Base Flood Elevation: 10FT
 Certified to: MICHAEL R. GRAHAM AND MICHAEL D. BAKER
 US TITLE SERVICES, INC.
 COMMONWEALTH LAND TITLE INSURANCE CO.
 SUNTRUST BANK, MIAMI, N.A., ITS SUCCESSORS AND/OR ASSIGNS,
 AS THEIR INTEREST MAY APPEAR



SWIMMING POOL AND SPA GENERAL SPECIFICATIONS

POOL MODEL:	102	POOL SHAPE:	RECTANGULAR	POOL DEPTH:	3'-6" TO 6'-0"
POOL DIMENSIONS:	13'-6" x 30'-0"	SWIMMING AREA:	429 5. F.	POOL CAPACITY:	15,203 GALS
SPA SIZE:	N/A	SPA HEIGHT:	N/A	SPA CAPACITY:	N/A
STEPS:	1st= 12", 2nd= 12", 3rd= 12", 4th= 12"	SPA DECK STEPS:	N/A L.F.	SWIM OUT:	1'-6" x 1'-3-6"

CONSTRUCTION MATERIALS INFORMATION

CONCRETE:	—	CORING:	105-48" L.F.	TILE:	95-0"	L.F.:	DECK-TRAVELER: 1,162 5.F.	DECO-DRAIN:	N/A	L.F.:
------------------	---	----------------	--------------	--------------	-------	--------------	---------------------------	--------------------	-----	--------------

POOL EQUIPMENT AND LIGHTING COMPONENTS

SKIMMER: YES	NUMBER OF RETURN LINES: 3	MAIN DRAIN TYPE:	2 AMT-VORTEX	HANDRAIL:	N/A
PUMP SIZE AND MODEL NUMBER:	ECO SELECT VARIABLE SP	POOL FILTER TYPE:	PENTAIR CLEAN & CLEAR 100 SF CARTRIDGE		
POOL LIGHT:	PENTAIR 300W WHITE LIGHT	SPA LIGHT:	N/A		
POOL HEATER:	N/A	SALT CHLORINATOR:	PENTAIR INTELLICHLOR 20K		

ADDITIONAL WATER FEATURES AND COMPONENTS

SHEER DESCENT:	N/A	MASSAGE JETS:	N/A
ROCK WATERFALL:	N/A	DECK JETS:	N/A
AQUA ACCENTS:	N/A	MOSAICS:	N/A

NOTES: DIAMOND BRUTE PLASTER - STANDARD COLORS

REQUIRED POOL SETBACKS

FRONT: 75'-0"	REAR: 7'-5"	SIDE: 10'-0"	HOUSE: 5'-0"
----------------------	--------------------	---------------------	---------------------

DECK SETBACKS

REAR: 5'-0"	SIDES: 5'-0"
--------------------	---------------------

NOTES:

MUNICIPALITY: PALMETTO BAY

- POOL GENERAL NOTES:**
1. ALL WORKING AND DEVICES AS INDICATED IN POOL DATA SHALL REMAIN UNLESS OTHERWISE NOTED.
 2. FINISHING DATE TO BE NEW BUILT DATE CONFORMING TO ASTM-G15. EXACT CO.
 3. POOL OWNER TO FOLLOW PROTECTION MEASURES AS INDICATED.
 4. PROTECT ALL EXISTING UTILITIES AND STRUCTURES WITHIN LOT LINES. NOT PERMIT FOR MORE THAN ONE HOUR DISCONNECT.
 5. DISCONNECT POOL WATER WITHIN LOT LINES AND SUCH DISCONNECT SHALL BE IN A TYPICAL LOCATION AND BE EASILY ACCESSIBLE TO THE OWNER.
 6. WATER SUPPLY AND RETURN SHALL BE INSTALLED IN A MANNER THAT WILL BE IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS.
 7. GASET AT MAIN BEAN SHALL HAVE A FREE AREA FOR THE AREA OF SLOTTED LINE.
 8. PUMP AND LINE STRAPINGS SHALL HAVE REMOVABLE SCREEN WITH A FREE AREA THERE FOR THE AREA OF THE SLOTTED LINE (2" X 4" MIN).

- ELECTRICAL NOTES:**
1. INSTALLED WIRING AND DEVICES AS INDICATED IN POOL DATA SHALL REMAIN UNLESS OTHERWISE NOTED.
 2. ALL METALLIC CONDUITS, PIPING SYSTEMS, REMEDIATING STEEL, LIGHTING FIXTURES AND FIXTURE HOUSING, METAL PARTS OF LADDER, AND OTHER SUPPORTS SHALL BE EARTHED TO THE MAIN SERVICE PANEL THROUGH THE MAIN SERVICE PANEL AND SHALL BE SMALLER THAN 48 OTHER.
 3. NO OVERHEAD OPEN WIRE OVER POOL WATER. RECEPTACLES WITH 10' OF WATER.

BARBER GENERAL NOTES:

THE BARBER SHALL BE PLACED AROUND THE PERIMETER OF THE POOL AND MUST BE SEPARATE FROM ANY FENCE, WALL OR OTHER ENCLOSURE SURROUNDING THE POOL UNLESS THE FENCE, WALL OR OTHER ENCLOSURE OR PORTION THEREOF IS SITUATED ON THE PERIMETER OF THE POOL. THE BARBER SHALL BE PLACED AS INDICATED IN THE POOL DATA.

REMOVABLE CHILD BARRIERS MUST BE PLACED SUFFICIENTLY AWAY FROM THE WATER'S EDGE TO PREVENT CHILDREN FROM ENTERING THE POOL UNLESS THE WATER'S EDGE IS SHALLOWER THAN 20" (50cm) FROM THE BARBER TO THE WATER'S EDGE. PAVING OR NON-SLIDING SURFACES INCLUDING SCREEN ENCLOSURES, WHEN USED AS BARRIERS, SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS. THE BARBER SHALL BE PLACED AS INDICATED IN THE POOL DATA.

A WALL OR A DIVIDING WALL SHALL BE PART OF THE BARBER IF IT DOES NOT CONTAIN ANY POOL OR WADPOW THAT OPENS TO PROVIDE DIRECT ACCESS FROM THE HOME TO THE SWIMMING POOL. (F.S.C. 424.2, 17.1, 14) (F.S.C. 424.2, 17.1, 14)

ALL DOORS AND WADPOWS PROVIDING DIRECT ACCESS FROM THE HOME TO THE POOL MUST BE EQUIPPED WITH AN EXIT ALARM THAT HAS A MINIMUM SOUND PRESSURE RATING OF 55dB A AT 10 FEET.

CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS ON THE DRAWING AT THE JOB SITE PRIOR TO COMMENCING WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND ANY OTHERS. THE CONTRACTOR SHALL BEAR FULL RESPONSIBILITY OF SIGN CHANGES AND ANY REQUIRED REVISION TO THE PLAN.

EXCEPTION: A SWIMMING POOL WITH AN APPROVED SAFETY POOL COVER COMPLYING WITH ASTM F 3346.

SOIL STATEMENT:

PER VISUAL INSPECTION SOIL AT THE SITE APPEARS TO BE A MIXTURE OF SAND AND CLAY. ALLOWABLE BEARING CAPACITY OF 2000 PSF. AT TIME OF EXCAVATION A LETTER WILL BE PROVIDED TO THE OWNER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND ANY OTHERS. THE CONTRACTOR SHALL BEAR FULL RESPONSIBILITY OF SIGN CHANGES AND ANY REQUIRED REVISION TO THE PLAN.

LEGAL DESCRIPTION:

LOT 1, BLOCK 3, AT MIRLEDA ESTATES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 130 AT PAGE 26 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

Genie Pools
M I A M I - D A D E
F L O R I D A

SWIMMING POOL

NAME: DE RYLAND LEON
ADDRESS: 116371 SW 84 FL, MIAMI, FL 33157
LOT: 3
OWNER PROFILE: MIRLEDA EST

786.390.4115
OWNER PROFILE: MIRLEDA EST

No.	DATE	DESCRIPTION
1	03.12.2012	REWORK

No.	DATE	DESCRIPTION

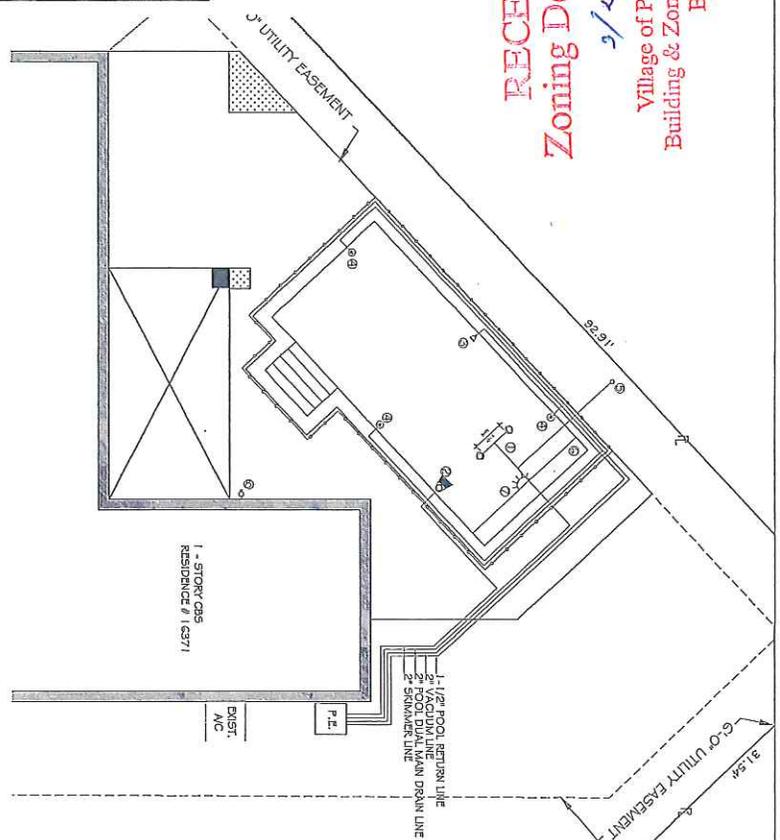
FERNANDO MORALES
PROFESSIONAL ENGINEER
5031 FORT LINDEN RD SUITE 1018
MIAMI, FL 33149
PHONE: (786) 290-9029

GENERAL NOTES

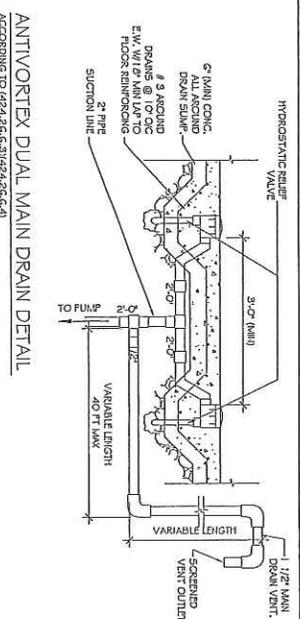
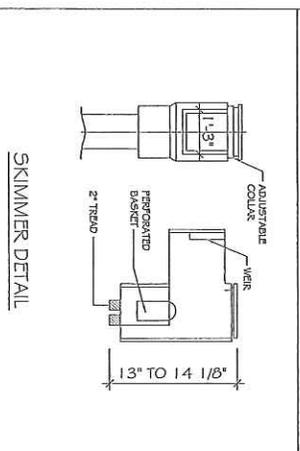
PAGE 2 of 5

RECEIVED
Zoning Department
 2/17/12
 Village of Palmetto Bay
 Building & Zoning Department
 By: *[Signature]*

- NOTE:**
 STATING THAT THE VENT
 WILL PULL A MAXIMUM OF
 4.5 INCHES OF MERCURY
 AT OUTLET.
- POOL EQUIP. - DETAIL LEGEND**
1. ANTIVORTEX MAIN DRAIN
 2. SKIMMER
 3. VACUUM WITH SAFETY VAC LOCK COVER
 4. INLET
 5. 1-1/2" POOL MAIN VENT (SEE DETAIL)
 6. SWIMCOURT (SEE DETAIL)
 7. SWIMMING POOL LIGHT
 8. GFI W/ 2" MIN. 2" MAX FROM WATER EDGE



PLUMBING LAYOUT PLAN
 SCALE: NTS

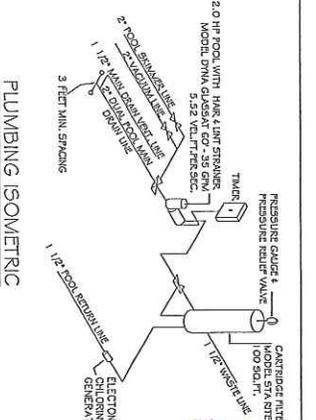
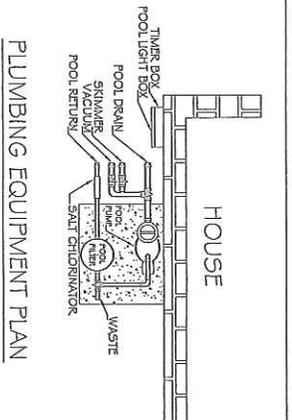


DISTANCE CHART FOR HYDROSTATIC RELIEF VENT

PUMP HORSEPOWER	MAX DISTANCE IN FEET
0.75 HORSEPOWER	24.51 FEET
1.0 HORSEPOWER	32.69 FEET
1.5 HORSEPOWER	40.06 FEET
2.0 HORSEPOWER	54.47 FEET
2.5 HORSEPOWER	73.54 FEET
3.0 HORSEPOWER	78.96 FEET

POOL DATA

POOL CAPACITY (IN GALLONS)	15,283
FILTER CARTRIDGE (100 (G.O.F.T))	21"
FILTRATION RATE (GAL/MIN/FM)	50
POOL TURNOVER (HRS)	2.08
POOL SURFACE	429 S.F.
POOL PERIMETER	105'-0"



GeniePools
 Miami, Florida

SWIMMING POOL

NAME: BERTY AND LEON
 ADDRESS: 16371 SW 84 PL.
 CITY: MIAMI, FL 33157

OWNER: MIRELDA EST

OWNER PHONE: 786.390.4115

DRAWN BY: D L LEON DATE: 03.12.2012

REWORK

No.	DATE	DESCRIPTION

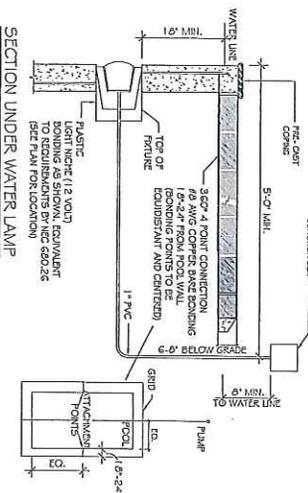
REVISIONS

No. DATE DESCRIPTION

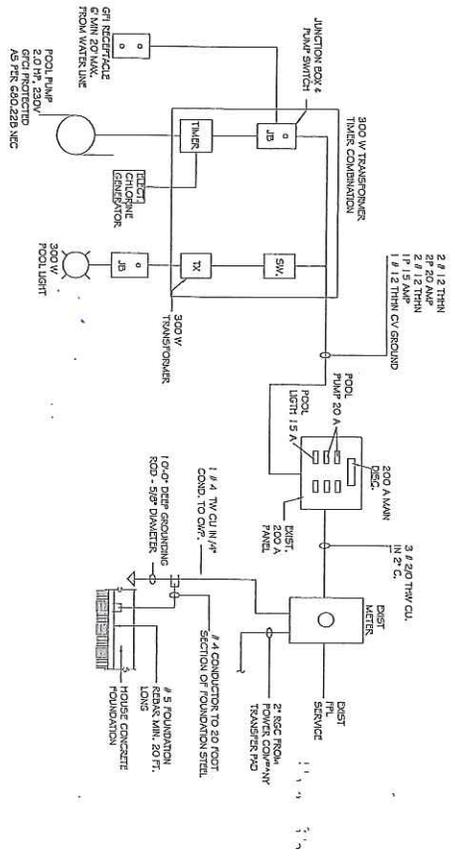
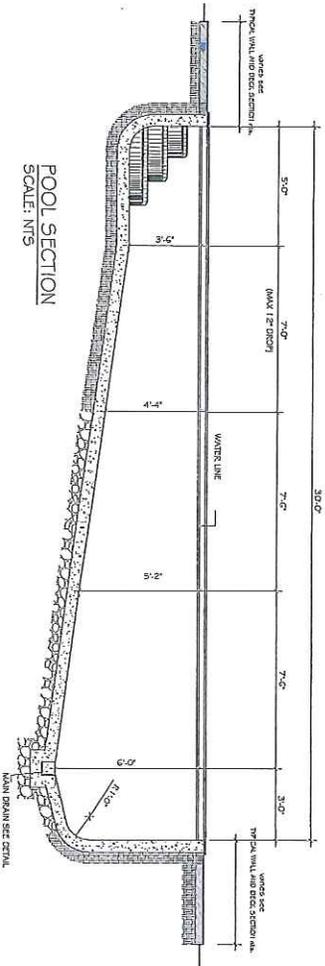
FERNANDO A. MORALES
 PROFESSIONAL ENGINEER
 P.E. LICENSE NO. 51441
 5281 SW 14th Ave. Miami, FL 33135
 PHONE: (786) 599-9252

PLUMBING
 PAGE 3 of 5

ELECTRICAL POOL EQUIPMENT	INCLUDED
1 SALT CHLORINATOR	YES
2 POOL HEATER	NO
3 SPA HEATER	NO
4 POOL PUMP	2.0 HP
5 EXTRA POOL PUMP	NO
6 POOL LIGHT	300 W
7 SPA LIGHT	NO



RECEIVED
Zoning Department
 Village of Palmetto Bay
 Building & Zoning Department
 By: *[Signature]*
 3-24-12



POOL ELECTRICAL SCHEMATIC

- A. ALL POOL ELECTRICAL WORK SHALL COMPLY WITH NEC 2009
 B. NO OVERHEAD ELECTRICAL WIRING SHALL BE LOCATED WITHIN 10' OF POOL'S WATER EDGE UNLESS IT IS 8" OR HIGHER.
 C. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 D. GROUND ALL BOXES, LIGHTS, MOTORS, LAMPERS, ETC WITH #6 GROUND WIRE.
 E. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 F. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 G. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 H. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 I. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 J. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 K. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 L. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 M. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 N. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 O. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 P. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 Q. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 R. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 S. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 T. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 U. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 V. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 W. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 X. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 Y. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.
 Z. ALL ELECTRICAL EQUIPMENT SHALL BE GROUNDING AND GROUNDING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70-2009.

SWIMMING POOL
 OWNER: BERTRAND LEON
 ADDRESS: 16371 SW 84 PL
 CITY: MIAMI, FL 33157
 LOT: 180000158
 OWNER PHONE: 305.411.5786
 DRAWN BY: D. LEON
 DATE: 03.12.2012

REVISIONS

No.	DATE	DESCRIPTION

REWORK

No.	DATE	DESCRIPTION

FERNANDO A. MORALES
 PROFESSIONAL ENGINEER
 LICENSE NO. 51441
 STATE OF FLORIDA
 5201 SW 15th Avenue, Suite 1118
 Miami, FL 33155
 Phone: (781) 860-2929

ELECTRICAL
 PAGE 5 of 5

LETTERS OF SUPPORT

VPB-12-002 BERTRAND & KERRI LEON

CONSENT FORM

We, **Bertrand and Kerri Leon**, have applied for a Zoning Hearing to the Department of Planning & Zoning with the Village of Palmetto Bay to permit

The adjustment of the rear setback for the construction of a new swimming pool at our residence, 16371 SW 84th Place, from 20' to 7'-8". Without this modification, we would be unable to build a swimming pool at our residence

We, the undersigned property owners, waive any objections to the proposed construction as outlined above and as shown on the plans accompanying this application. I further certify that I have subscribed my name freely and without any duress or apparent misrepresentation on the part of the applicant to this form and to the plans accompanying this application.

Property Address: 16380 SW 84 PLACE

Print Name: PHILIP GARLAND / PATRICIA GARLAND

Date: 3/24/2012

Signature: *Philip Garland*

Property Address: 16420 SW 84 PLACE

Print Name: DENNIS GARLAND / W DIANE

Date: 3/24/12

Signature: *Dennis R Garland*

Property Address: 16370 SW 84 PLACE

Print Name: MICHAEL BRAHAMONTE / W NATALIE

Date: 3/24/12

Signature: *Natalie Bramonte*

Property Address: 16340 SW 84 PLACE
Print Name: MICHAEL BAIAMONTE w/ NASTASIE
Date: 3/24/12
Signature: Nastasia Baerant

Property Address: 16365 SW 84 PLACE
Print Name: ERNEST MORRISON w/ ROBIN
Date: 3/25/12
Signature: Ernest Morrison

Property Address: 8442 SW 163 TERRACE
Print Name: RICHARD SHARP / CRIS LAOS
Date: 3/24/2012
Signature: [Signature]

Property Address: 8432 SW 163 TERRACE
Print Name: VICTOR SPENCE w/ PHYLLIS
Date: _____
Signature: _____

Property Address: 8422 SW 163 TERRACE
Print Name: NEAL HEYBECK / JINEAUS HEYBECK
Date: 3/25/12
Signature: [Signature]

Property Address: 8433 SW 164 TERRACE

Print Name: ANTONIO QUINONES w/ SAUDRA

Date: 23 MARCH 2012

Signature: 

Property Address: 8435 SW 164 TERRACE

Print Name: AUGUSTIN PICADO / MARIA PICADO

Date: 3/27/12

Signature: Maria A. Picado

ZONING HISTORY

VPB-12-002 BERTRAND & KERRI LEON

RESOLUTION NO. 4-ZAB-265-89

The following resolution was offered by Thomas A. Conger seconded by Jose

A. Losa and upon poll of members present, the vote was as follows:

Thomas A. Conger	aye	Gonzalo (Guy) Sanchez	aye
Jose A. Losa	aye	Kenneth Welt	aye
Levi A. Johnson	absent	Georgia A. Wright	aye
Joyce Masso	aye	Murray Sisselman	aye
Mary Jean Risi	aye		

WHEREAS, APOLLO DEVELOPERS had applied for the following:

- (1) NON-USE VARIANCE OF LOT FRONTAGE REQUIREMENTS to permit 43 proposed EU-M lots (Lots 1-9, Block 1), (Lots 1-10, Block 2), (Lots 2-10, 12, 13, and 15-22, Block 3), (Lots 1-3, Block 4), and (Lots 1 & 4, Block 5) with frontages varying between 50' and 118' (120' required).
- (2) NON-USE VARIANCE OF LOT FRONTAGE REQUIREMENTS to permit one proposed EU-M lot with a dual frontage of 52' and 90' (120' required) (Lot 11, Block 3).
- (3) NON-USE VARIANCE OF LOT DEPTH REQUIREMENTS to permit one proposed EU-M lot with a lot depth of 100' (115' required) (Lot 4, Block 1).

A plan of the proposed subdivision is on file and may be examined in the Zoning Department entitled "Hidden Valley Estates," as prepared by Gary B. Castel, Surveying, Inc., dated 4-20-89. Plans may be modified at public hearing.

SUBJECT PROPERTY: That part of the SE 1/4 of the NW 1/4 of the SW 1/4 and the east 3/4 of the north 1/2 of the SW 1/4 of the SW 1/4 and the SE 1/4 of the SW 1/4 of the SW 1/4 and the west 1/2 of the SW 1/4 of the SE 1/4 of the SW 1/4 less the south 35' lying N/ly of C-100 Canal Right-of-way in Section 27, Township 55 South, Range 40 East.

LOCATION: Between theoretical S.W. 162 Street and S.W. 168 Street (Richmond Drive), lying NE/ly and E/ly of the C-100 Canal, Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested non-use variances would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the application be and the same is hereby approved, subject to the following conditions:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things but not be limited thereto, location of building or buildings, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Hidden Valley Estates," as prepared by Gary B. Castel, Surveying, Inc., dated 4-20-89.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant comply with all conditions and requirements of the Department of Environmental Resources Management.
5. That the applicant comply with all conditions and requirements of the Public Works Department.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 12th day of JULY, 1989.

Hearing No. 89-7-10
Typed 7/13/89 bn

METROPOLITAN DADE COUNTY, FLORIDA



METRO-DADE CENTER

BUILDING & ZONING DEPARTMENT
SUITE 1010
111 N.W. 1st STREET
MIAMI, FLORIDA 33128-1974
(305) 375-2500

July 17, 1989

Apollo Developers
c/o Michael Salvatore
1501 Venera Avenue, Suite 205
Coral Gables, Fl 33146

Re: Hearing No: 89-7-10
Location: Between theoretical S.W. 162 Street and S.W. 168 Street
(Richmond Drive), lying NE/ly and E/ly of the C-100 Canal

Gentlemen:

Enclosed herewith is a copy of Resolution No. 4-ZAB-265-89, adopted by the Metropolitan Dade County Zoning Appeals Board, approving your application on the above-described property. Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required.

If there are any anticipated changes from the plan submitted for the hearing, a plot use plan should be submitted to this office in triplicate before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

You are hereby advised that the decision of the Zoning Appeals Board may be appealed by an aggrieved party (within 14 days) or by the Directors of the Dade County Building and Zoning Department and Planning Department (within 18 days), as is provided in Chapter 33-313 of the Code of Metropolitan Dade County, Florida; and that no permits or Certificates of Use and Occupancy can be issued until the appeal periods have expired, and only if no appeal has been filed. Application for necessary permits and/or Certificate of Use and Occupancy permits should be made with this Department.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Chester C. Czebrinski".
Chester C. Czebrinski
Assistant Director

CCC/bn
Enclosures

cc: Department of Public Works
Department of Environmental Resources Mgmt.

RESOLUTION NO. Z-25-89

The following resolution was offered by Commissioner Jorge (George) Valdes, seconded by Commissioner Charles Dusseau, and upon poll of members present the vote was as follows:

Barbara M. Carey	absent	Barry D. Schreiber	aye
Charles Dusseau	aye	Jorge (George) Valdes	aye
Joseph M. Gersten	absent	Sherman S. Winn	aye
Larry Hawkins	aye	Stephen P. Clark	aye
Harvey Ruvin	absent		

WHEREAS, IDEAL HOLDING CO., had applied for the following:

A district boundary change from AU (Agricultural) to EU-M (Estate Use Modified)

SUBJECT PROPERTY: That part of the SE 1/4 of the NW 1/4 of the SW 1/4 and the east 3/4 of the north 1/2 of the SW 1/4 of the SW 1/4 and the SE 1/4 of the SW 1/4 of the SW 1/4 and the west 1/2 of the SW 1/4 of the SE 1/4 of the SW 1/4, less the south 35', all lying N/ly of C-100 Canal right-of-way in Section 27, Township 55 South, Range 40 East.

LOCATION: Between theoretical S.W. 162 Street and S.W. 168 Street (Richmond Drive) lying NE/ly and E/ly of the C-100 Canal, Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners, Dade County, Florida, was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to EU-M would be compatible with the neighborhood and area concerned and would not be in conflict with the principles and intent of the plan for the development of Dade County, Florida, and should be approved;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the requested district boundary change to EU-M be and the same is hereby approved and said property is hereby zoned accordingly;

The Zoning Director is hereby directed to make the necessary changes and notations upon the maps and records of the Dade County Building and Zoning Department.

PASSED AND ADOPTED this 9th day of February, 1989.

February, 1989
No. 89-2-CC-2
2/17/89
mr

DADE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By Richard P. Brinker, Clerk
Deputy Clerk

This resolution transmitted to the Clerk of the Board of County Commissioners on the 20th day of FEBRUARY, 1989.

METROPOLITAN DADE COUNTY, FLORIDA



METRO-DADE CENTER

BUILDING & ZONING DEPARTMENT
SUITE 1010
111 N.W. 1st STREET
MIAMI, FLORIDA 33128-1974
(305) 375-2500

February 20, 1989

Ideal Holding Co.
c/o Robert Traurig
1221 Brickell Ave., 22nd Floor
Miami, FL 33131

Re: Hearing No. 89-2-CC-2; Between theoretical S.W. 162 Street and S.W. 168 Street (Richmond Drive) lying NE/ly and E/ly of the C-100 Canal

Gentlemen:

Enclosed, herewith, is a copy of Resolution No. Z-25-89, adopted by the Board of County Commissioners, which approved your requested district boundary change to EU-M on the above-described property.

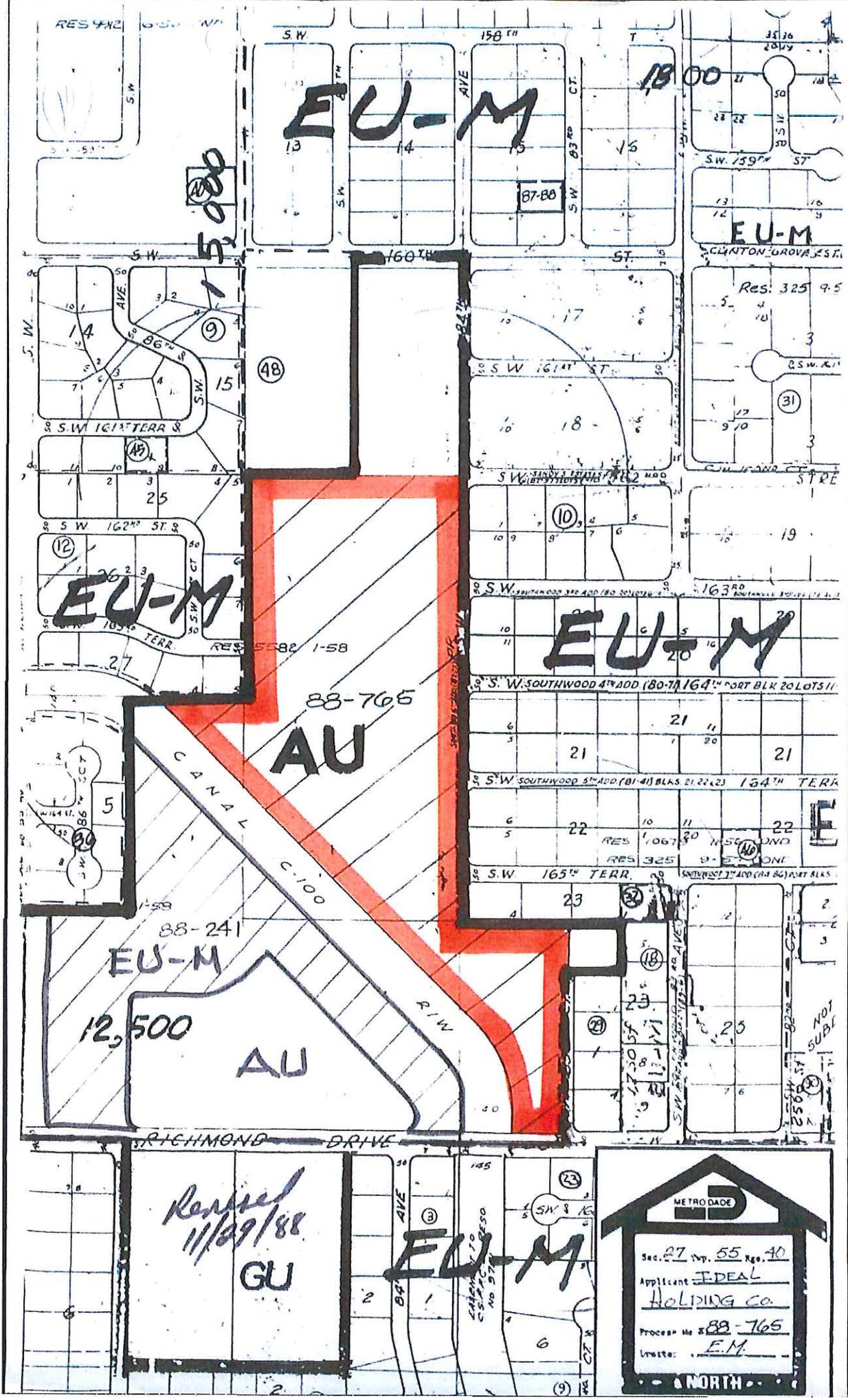
You are, hereby, advised that the decision of the Dade County Commission may be appealed by an aggrieved party within 30 days of the date of the submittal of the resolution to the Clerk of the County Commission. You are, further, advised that in the event that an appropriate appeal is timely filed in the Circuit Court, any building permit sought or obtained shall be solely at the risk of the party obtaining said permit.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Chester C. Czebrinski".

Chester C. Czebrinski
Assistant Director

CCC/mr
Enclosure



EU-M

EU-M

EU-M

EU-M

AU

EU-M

AU

EU-M

*Revised
11/29/88*
GU

METRO DADE

Sec. 27 Twp. 55 Rge. 40

Applicant: IDEAL HOLDING Co.

Process No: 88-765

Use: F.M.

NORTH

5,000

1800

1

(48)

88-765

12,500

88-241

RICHMOND DRIVE

CANAL C-100

S.W. 161ST TERR

S.W. 162ST ST

RES 5380 1-58

S.W. SOUTHWOOD 4TH ADD (80-TH 164TH PORT BLK 20 LOTS 11

S.W. SOUTHWOOD 5TH ADD (81-41) BLKS 21 22 23 164TH TERR

S.W. 165TH TERR

CLINTON GROVE EST.

Res: 325 9-5

RES 1067 1-58

RES 325 9-5

RES 442

S.W.

158TH

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2017

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RESOLUTION NO. 5582

The following resolution was offered by Commissioner Preston B. Bird seconded by Commissioner Jesse H. Yarborough, and upon vote duly adopted:

WHEREAS, the Dade County Planning, Zoning and Building Department has applied for a change in minimum cubic content requirements from 3,000 cubic feet to 12,500 cubic feet on the N3/4 W3/4 SW1/4 of Section 27, Township 55 South, Range 40 East, excepting therefrom the NE1/4 NW1/4 SW1/4 and the NE1/4 NE1/4 SW1/4 East of Galloway Road, approximately 660' North of Richmond Drive, Dade County, Florida, and

WHEREAS, a public hearing of the Dade County Zoning Commission was advertised and held as required by law and after hearing all interested parties and considering the adjacent areas, the Zoning Commission recommended that the application be approved, and

WHEREAS, it appears to this Board that the increase in minimum cubic content requirements, as recommended by the Zoning Commission, is in accord with and for the betterment of the overall comprehensive zoning plan for Dade County, Florida;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida that said change in minimum cubic content requirements be and the same is hereby approved and said property is hereby zoned accordingly.

The Zoning Director is hereby directed to make the necessary changes and notations upon the maps and records of the Dade County Planning, Zoning and Building Department.

PASSED AND ADOPTED this 6th day of January, 1953.

STATE OF FLORIDA)
) SS.
COUNTY OF DADE)

I, E. D. LEATHERMAN, Clerk of the Circuit Court in and for Dade County, Florida, and ex officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of a resolution adopted by the said Board of County Commissioners at its meeting held on January 6, 1953, as appears of record in the minutes of said Board of County Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 6th day of January, 1953.

E. D. LEATHERMAN, Clerk

By [Signature]
Deputy Clerk

Heard 12. 15. 52

Maps Rev. 2. 25. 53

Dade Co Zoning

IV-17

Proposed Change 3000 cf to 12,500 cf

Hrg Dec 15 1952

Section Blank

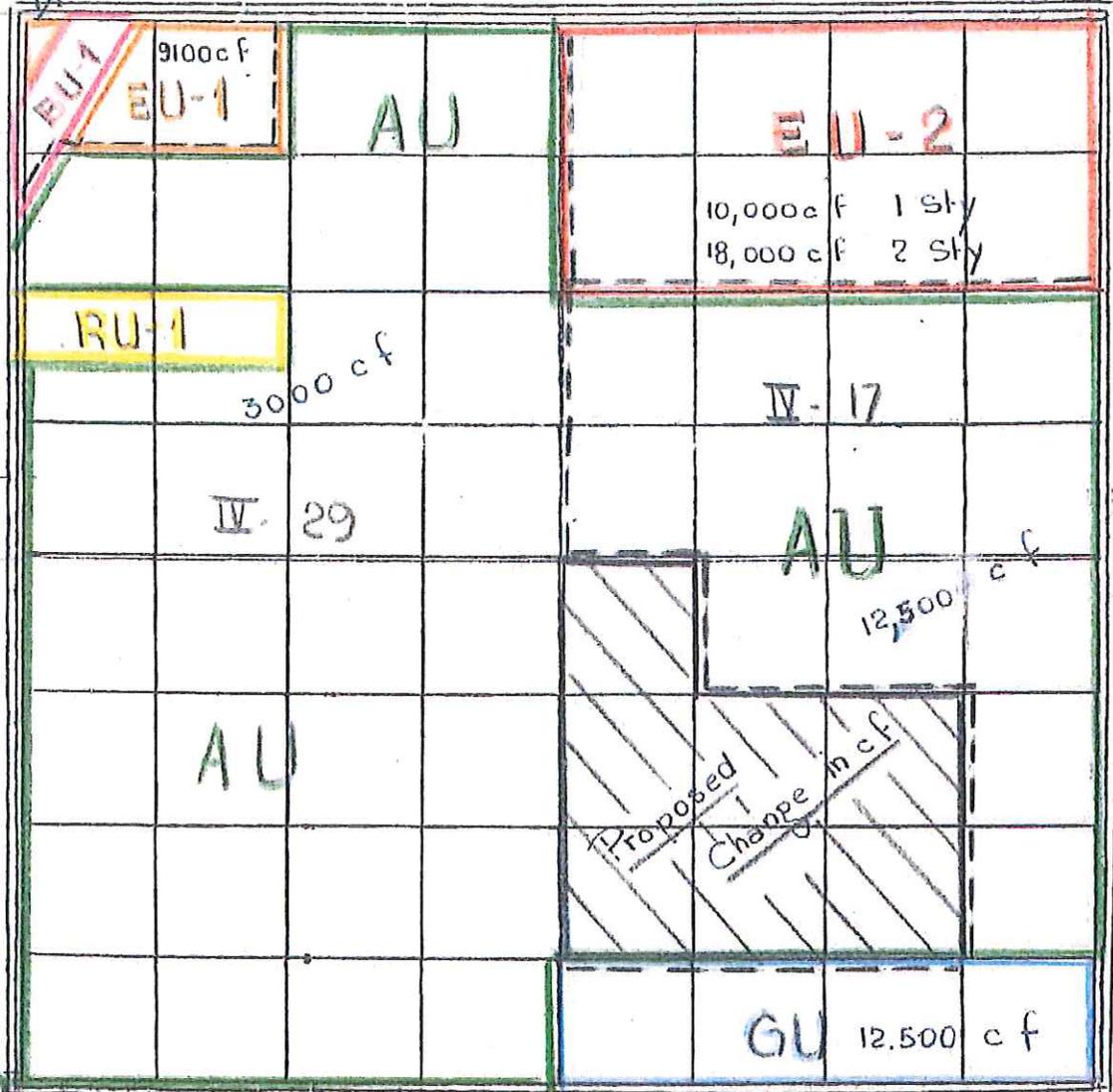
Present Zoning II. 21 52

District No. _____

Section 27 Township 55 Range 40

Coral Reef Dr

N



SW 160 St

E

Richmond Dr

SW 92 Ave

Galloway Rd
SW 87 Ave

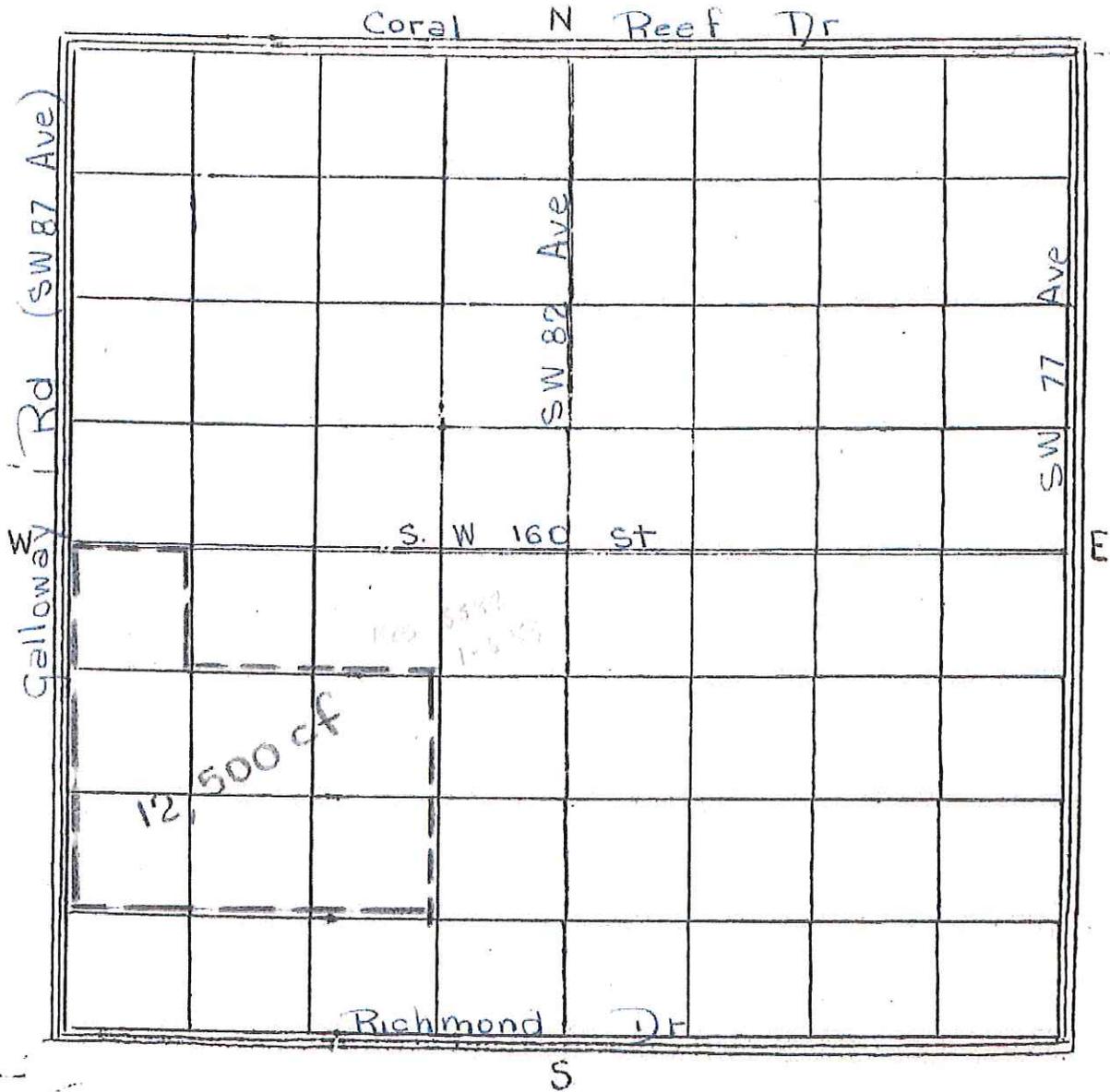
SW 82 Ave

Map Showing Proposed Change

Section Blank

District No. _____

Section 27 Township 55 Range 40



POSTING NOTICE

VPB-12-002 BERTRAND & KERRI LEON



ZONING HEARING

PERTAINING TO THIS PROPERTY TO BE HELD AT

VILLAGE HALL

ADDRESS

9705 EAST HIBISCUS STREET

PURPOSE OF HEARING:

VILLAGE OF PALMETTO BAY ZONING PUBLIC HEARING NOTICE
The Village of Palmetto Bay will conduct a public hearing to consider the proposed rezoning of the property located at 9705 East Hibiscus Street, Palmetto Bay, Florida. The rezoning is from the current zoning to a new zoning category. The purpose of the hearing is to allow the public to provide input on the proposed rezoning. The hearing will be held on May 21, 2012, at 7:00 PM at Village Hall, 9705 East Hibiscus Street, Palmetto Bay, Florida. For more information, please call 305-259-1271.



DATE:

MAY. 21. 2012

TIME:

7:00 PM

HEARING No:

VPB-12-002

FOR FURTHER DETAILS CALL:
305-259-1271

VILLAGE OF PALMETTO BAY
DEPARTMENT OF PLANNING AND ZONING



ZONING HEARING
PERTAINING TO THIS PROPERTY TO BE
HELD AT
ADDRESS

Address of Hearing:	DATE:
	TIME:
	LOCATION:

305-259-1271
VILLAGE OF PALMETTO BAY
DEPARTMENT OF
PLANNING AND ZONING

04/20/2012 09:26

ANALYSIS

VPB-12-003 A.N. DEALERSHIP HOLDINGS, INC.



**Village of Palmetto Bay
FLORIDA**

ZONING ANALYSIS

APPLICANT: A.N. Dealership Holding Corp. **PH:** VPB-12-003
ADDRESS: 17305 South Dixie Hwy **ZIP:** 33157
SECTION: 33-55-40 **HEARING DATE:** May 21, 2012
COUNCIL DISTRICT: 1 **ITEM:** 2

A. GENERAL INFORMATION

REQUEST: The applicant is requesting a variance of sign regulations to allow two (2) additional building identification signs where only one is permitted; bringing the total sign area up to 160 sq. ft., where a maximum of 150 sq. ft. is permitted on a property zoned Mixed-Use Corridor (MC).

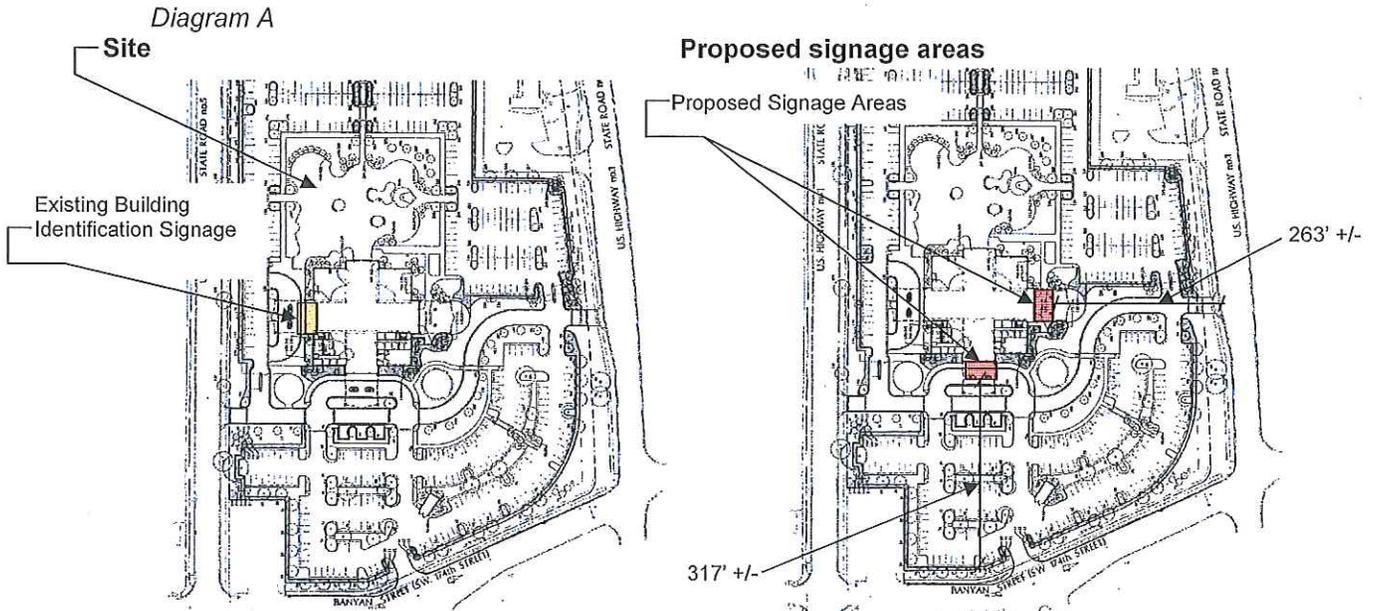
ADDRESS: 17305 South Dixie Hwy

LOT SIZE: 14 Acres

FOLIO #: 3350320550010

B. BACKGROUND

The applicant, A.N. Dealership Holding Corporation, wishes to place two (2) additional building identification signs on the property. Under the code, the applicant is only allowed one (1) building identification sign. This fourteen (14) acre property is currently developed for use as a new car dealership and is zoned Mixed-Use Corridor (MC) located within the island portion of the FT&I district. As a result the property has multiple street frontages. The applicant is seeking additional signage on the southern and eastern facades of the principle structure that serves as their showroom/sales office building. The existing setbacks of the building's southern and eastern frontages are 317 feet and 263 feet respectively. Both of the proposed signs are to address the southern and eastern street frontages as indicated in *Diagram A* below.



As illustrated above, the property has multiple street frontages.

C. ZONING HEARING HISTORY (7257, 8772, 9190, 10708, 41, ZB-246-60, ZAB-7-61, 2-ZAB-101-62, 4-ZAB-181-69, 4-ZAB-51-80, 4-ZAB-301-80, 4-ZAB-420-80, Z-294-80, 4-ZAB-315-81, 4-ZAB-360-83, 4-ZAB-285-86, 4-ZAB-494-88, 4-ZAB-205-92, Z-64-96, 05-94, 06-19)

On August 3rd, 1954, the Board of County Commissioners via resolution **No. 7257** approved the applicant's request with conditions for a district boundary change from RU-2, BU-2, AU, and GU to BU-1.

On September 15th, 1955, the Board of County Commissioners via resolution **No. 8772** approved to the construction of ten (10) store units to be permitted prior to the recording of the plat.

On January 5th, 1956, the Board of County Commissioners via resolution **No. 9190** approved a district boundary change from BU-1 (Neighborhood Business) to BU-1A (Limited Business)

On November 23rd, 1956, the Board of County Commissioners via resolution **No. 10708** approved the applicant's request, with conditions, to permit a two (2) level parking structure, and a special permit for sign advertising.

On July 30th, 1957, the Board of County Commissioners via resolution **No. 41** approved the applicant's request to amend condition No. 3 from resolution No. 7257.

On December 21st, 1960, the Board of County Commissioners via resolution **No. ZB-246-60** approved the applicant's request for a district boundary change from BU-1A (Limited Business) to BU-2 (Special Business).

On January 4th, 1961, the Board of County Commissioners via resolution **No. ZAB-7-61** denied the applicant's request for an unusual use permit to allow an amusement ride facility.

On February 21st, 1962, the Board of County Commissioners via resolution **No. 2-ZAB-101-62** approved the applicant's request for an unusual use permit with conditions to permit shopping center proportional activities.

On March 12th, 1969, the Board of County Commissioners via resolution **No. 4-ZAB-181-69** approved the applicant's request for a variance of alcoholic beverages to serve patrons alcohol at a bar without serving a full course meal.

On January 17th, 1980, the Metropolitan Zoning Appeal Board via resolution **No. 4-ZAB-51-80** approved the applicant's request for a special exception to permit the maintenance, continued use of, and the proposed expansion of an existing bar into an adjoining store unit in conjunction to spacing requirements as applied to alcoholic beverages to permit the bar to be spaced less than the required 1,500' from other existing alcoholic uses.

On July 23rd, 1980, the Metropolitan Zoning Appeal Board via resolution **No. 4-ZAB-301-80** denied the applicant's (Perrine Plaza for Walgreen's) request for a special exception of spacing requirements to permit a 23' x 92' package liquor store to be spaced less than the required 1,500' from other existing alcoholic uses.

On October 29th, 1980, the Metropolitan Zoning Appeal Board via resolution **No. 4-ZAB-420-80** denied the applicant's (Perrine Plaza for Walgreen's Corporation) request for a special exception of spacing requirements to permit a 23' x 92' package liquor store to be spaced less than the required 1,500' from other existing alcoholic uses.

On December 15th, 1980, the Board of County Commissioners via resolution **No. Z-294-80** approved the applicant's (Perrine Plaza for Walgreen's Corporation) request for a special exception of spacing requirements to permit a 23' x 92' package liquor store to be spaced less than the required 1,500' from other existing alcoholic uses.

On September 23rd, 1981, the Metropolitan Zoning Appeal Board via resolution **No. 4-ZAB-315-81** approved the applicant's (Perrine Plaza for Taco Viva) request for a Modification of Plans to waive the required screening wall along the east side of the parcel.

On October 12th, 1983, the Metropolitan Zoning Appeal Board via resolution **No. 4-ZAB-360-83** approved the applicant's (Westminster Christian Private School, Inc.) request with conditions for a use variance to permit the sale of use merchandise in the BU-2 zone as it would be permitted in the BU-3 zone.

On July 23rd, 1986, the Metropolitan Zoning Appeal Board via resolution **No. 4-ZAB-285-86** approved the applicant's (National Car Care, Inc.) request with conditions for a non-use variance of zoning regulations to permit the maintenance and continued use of a car care cleaning service under a canopy.

On November 16th, 1988, the Metropolitan Zoning Appeal Board via resolution **No. 4-ZAB-494-88** approved the applicant's (Ennis Killen, Inc.) request, with conditions, for a non-use variance of zoning regulations to expand the hours for consumption of alcoholic beverages from 1am to 4:50am weekdays and Sunday.

On June 10th, 1992, the Metropolitan Zoning Appeal Board via resolution **No. 4-ZAB-205-92** approved the applicant's (Ennis Killen, Inc.) request with conditions for a non-use variance of zoning regulations to permit live entertainment in conjunction with an existing cocktail lounge.

On May 9th, 1996, the Board of County Commissioners via resolution **No. Z-64-96** approved the applicant's (AutoNation USA.) request for a district boundary change from BU-2 to BU-3 a special exception for a used car agency a non-use variance of sign regulations to permit 3 detached signs where 2 are permitted in conjunction with directional signs varying in area from 3.85'sq. ft. to 8.8' sq. ft. where a maximum of 3 sq. ft. is permitted and 5'-2" to 24' in height where a maximum of 4' is permitted.

On November 14th, 2005, the Mayor and Village Council of the Village of Palmetto Bay via resolution **No. 05-94** denied the applicant's (A.N. Dealership Holding Corp.) request for a special exception to permit the modification of a previously approved site plan to expand from a used automobile dealership to a new automobile dealership and repair facility and modification of the declaration of restrictions.

On February 13th, 2006, the Mayor and Village Council of the Village of Palmetto Bay via resolution **No. 06-19** approved the applicant's (A.N. Dealership Holding Corp.) request with conditions for a special exception to permit the modification of a previously approved site plan to expand from a used automobile dealership to a new automobile dealership and repair facility and modification of the declaration of restrictions.

On May 1st, 2006, the Mayor and Village Council of the Village of Palmetto Bay via ordinance **No. 06-06** rezoned the property from BU-3 to MC.

D. NEIGHBORHOOD CHARACTERISTICS

ZONING

FUTURE LAND USE DESIGNATION

Subject Property:

MC; Mixed-Use Corridor

Mixed-Use Corridor:
 Non-residential FAR average of
 1.5; Residential density 18.0 to 40.0
 d.u. per acre

Surrounding Properties

NORTH: MC; Mixed-Use Corridor

Mixed-Use Corridor:
 Non-residential FAR average of
 1.5; Residential density 18.0 to 40.0
 d.u. per acre

SOUTH: MC; Mixed-Use Corridor

Mixed-Use Corridor:
 Non-residential FAR average of
 1.5; Residential density 18.0 to 40.0
 d.u. per acre

EAST: BO; Business and Office

Business and Office

WEST: Unincorporated Miami-Dade County

E. SITE AND BUILDINGS

Site Plan Review:	Acceptable
Scale/Utilization of Site:	Acceptable
Location of Building(s):	Acceptable
Compatibility:	Acceptable
Landscape Treatment:	Acceptable
Open Space:	Acceptable
Buffering:	Acceptable
Access:	Acceptable
Visibility/Visual Screening:	Acceptable

F. ANALYSIS

The following is a review of the request pursuant to the Village's variance criteria found at Section 30-30.6(e), of the Code of Ordinances. The Background Section of this report is hereby incorporated by reference into this analysis.

Criteria (1) That the variance is in fact a variance allowed in this Division and is within the province of Village Council.

Analysis: Pursuant to Section 30-30.6(b) of the Code, a variance may be requested for setback lines; lot width; street frontage; lot depth; lot coverage; landscape or open space requirements; height limitations; yard regulations; fence and wall regulations; signs; parking; and flood regulations approved under Section 30-100.6, of the Code of Ordinances, and other matters specifically permitted as variances pursuant to this Division. The request is for a variance of signage requirements.

Finding: Consistent

Criteria (2) Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

Analysis: The subject property is a fourteen (14) acre lot located within the Franjo Triangle and Island Zoning District and has multiple street frontages. As demonstrated at *Diagram A* above, the size of the lot, its multiple street frontages, and large setbacks create a special condition for the property in identifying the business from the right-of-way.

Finding: Consistent

Criteria (3) That the special conditions and circumstances do not result from the actions of the applicant.

Analysis: The special condition that exists is due to the size of the parcel and its current developed configuration and not that of any action taken by the applicant. The principle building on which the signage would be placed is setback approximately 263' from the east northbound US-1 property line and approximately 317' from

the south Banyan Street property line (see *Diagram A*). The property was developed under the prior BU-3 zoning requirements. Since then, the Village rezoned the property to MC (as part of the FT&I rezoning) which has a building setback of 6' from US-1 and a 10' from Banyan Street. The effectiveness of the signage standard contemplated under the FT&I rules relies upon the reduced setback requirement.

Finding: Consistent

Criteria (4) That granting of the variance requested will not confer on the applicants any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.

Analysis: Granting of the request will allow the applicant to provide additional signage in a manner consistent with other businesses in the immediate area with similar property/development configurations.

Finding: Consistent

Criteria (5) Financial difficulties or economic hardship shall not be a factor for determining whether a variance should be granted.

Analysis: Financial or economic hardships have not been considered in reviewing this application.

Finding: Consistent

Criteria (6) That literal interpretation of the provisions of Chapter 30 would deprive the applicants of rights commonly enjoyed by other properties in the same zoning district under the terms of Chapter 30 and would work unnecessary and undue hardship on the applicant. The purchase of property which has an illegal nonconformity with Chapter 30 shall not be considered a hardship for the granting of a variance, nor shall conditions peculiar to the property owner be considered.

Analysis: Other properties in the immediate area also have multiple street frontages and have been granted additional signage by the Mayor and Village Council via resolution No. 09-91 for the South Florida Educational Federal Credit Union at 17500 South Dixie Highway. As demonstrated at *Diagram A* above, the property has multiple street frontages and is an large parcel consisting of 14 acres. The principle building on which the signage would be placed is setback approximately 263' from the east northbound US-1 property line and approximately 317' from the south Banyan Street property line. The property was developed under the prior BU-3 zoning requirements. Since then, the Village rezoned the property to MC (as part of the FT&I rezoning) which has a building setback of 6' from US-1 and a 10' from Banyan Street. The effectiveness of the signage standard contemplated under the FT&I rules relies upon the reduced setback requirement.

Finding: Consistent

Criteria (7) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Analysis: The signage in question are two (2) additional building identification signs where only one is permitted. The signs requested are identical to the one previously approved along the western façade. Approval of such a request would reflect the minimum variance necessary to accommodate the request.

Criteria (8) That the grant of the variance will be in harmony with the general intent and purpose of the Comprehensive Plan and Chapter 30, and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Analysis: The request may be considered in harmony with the general intent and purpose Chapter 30 because the scale and size of the proposed signage is compatible with the character and size of other building identification signs in the immediate and surrounding business district. The comprehensive plan does not contemplate signage regulations.

Finding: Consistent

Criteria (9) In granting any variance, Village Council may prescribe appropriate conditions to mitigate the proposed variance and to ensure safeguards in conformity with the Comprehensive Plan and Chapter 30 or any other duly enacted ordinance. Violation of conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter and shall nullify the variance development approval.

Analysis: The intent of this criterion is to provide the Council with an opportunity to recommend any conditions based on their evaluation and understating of the technical and non-technical aspects of the application. Should the Mayor and Council be inclined to approve the request with conditions, they should provide clear guidance to mitigate the potential impacts created by the proposed variances. In addition, the Council can recommend conditions to ensure compliance with the Comprehensive Plan, Chapter 30 of the LDC or any duly enacted ordinance. The Council's suggestions are intended to provide conditions that would augment or revise the conditions that may be proposed by the Planning Department.

Finding: As determined by the Mayor and Council

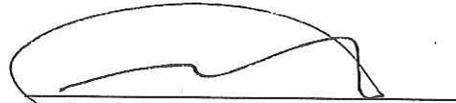
G. NEIGHBORHOOD SERVICES

Code Compliance	No Objection
DERM	Required
Building and Capital Projects	Required
Public Works	Required

H. RECOMMENDATION

Staff recommends approval with condition under Section 30-30.6 of the Code to allow plans entitled "Maroone Nissan of Kendall, 17305 S. Dixie Hwy, Palmetto Bay FL, 33157" consisting of three sheets dated stamped received March 26th, 2012, as prepared by McNeil Signs, Inc.

1. The applicant is to comply with the requirements of all other applicable departments/agencies as part of the Village of Palmetto Bay building permit submittal process.



Darby Delsalle, AICP
Director of the Department of Planning & Zoning

APPLICATION

VPB-12-003 A.N. DEALERSHIP HOLDINGS, INC.

April 3, 2012

Village of Palmetto Bay

9705 East Hibiscus St.

Palmetto Bay, FL 33157

RECEIVED
Zoning Department

4/3/12

Village of Palmetto Bay
Building & Zoning Department

By: 

To Whom It May Concern:

This letter is to serve as an intent to request a sign variance from the Village of Palmetto Bay's sign code of the maximum square footage allowed for wall signs. We are aware that the code allows a maximum of 150 square feet of signage to include the combined square footage of existing wall and monument signs. However our client, Maroone Nissan of Kendall located at 17305 S. Dixie Highway is surrounded by 4 street right of way frontages, two primary street frontages and two secondary frontages, thus we are requesting a variance from the maximum allowance of 150 square feet for signs. We are requesting additional wall signs on the south and/or east elevations of their existing showroom building, primarily on the east side and additionally on the south side.

In our observation, the unique property location and the one way traffic directions on southbound and northbound Dixie highway, the setback of the showroom building does create a hardship for the building to be properly seen from the south and east sides of the property. Furthermore, the north elevation of the showroom is completely invisible to any potential customer due to proximity of their neighbor, the Infinity Dealership on that side.

Maroone Nissan does have sufficient signage on the west elevation which is the main entrance for customers traveling south bound on Dixie highway. However, for customers traveling on the thru street(secondary) at the southern end of their property and potential customers traveling north bound on Dixie highway(primary), the building is not clearly visible until one has drove up to the driveways (entrances) at both the south and east elevations.

The existing signs are not overbearing in any manner. The three small medallions located over the entranceways are strictly for marking the location of the entranceways only and does not help to identify the building itself as they are located much closer to ground level. The west building elevation

sign is the only wall sign dedicated toward S. Dixie Hwy (southbound) vehicle traffic. The proposed signs will be fabricated to match their existing sign on the west wall elevation.

Please do not hesitate to contact McNeill Signs, Inc. with any questions or concerns. We would like to thank you in advance for considering this sign variance .

Respectfully,

A handwritten signature in black ink, appearing to be 'L. Snider', written in a cursive style.

L. Snider for McNeill Signs, Inc.

Form ZH-0107-01



SEC: TWP: RGE: **RECEIVED**
Zoning Department

4/5/12

ZONING HEARING (ZH) APPLICATION Village of Palmetto Bay
Village of Palmetto Bay, Department of Planning and Zoning
By: 20

LIST ALL FOLIO #S: 33-5032-055-0010 Date Received 5/19/12

1. NAME OF APPLICANT (Owner(s) of record of the property or lessee. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

AN DEALERSHIP HOLDING CORP.
E/K/A AUTONATION USA CORPORATION

2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:

Mailing Address: 200 SW 1ST. AVENUE, STE. 1400
City: FT. LAUDERDALE State: FL Zip: 33301 Phone#: 954.769.2241

3. OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:

Owner's Name (Provide name of ALL owners): AN DEALERSHIP HOLDING CORP.
200 SW 1ST. AVENUE, STE. 1400
City: FT. LAUDERDALE State: FL Zip: 33301 Phone#: 954.769.7000

4. CONTACT PERSON'S INFORMATION:

Name: Company: ELAINE MAY / AUTONATION
City: FT. LAUDERDALE State: FL Zip: 33301 Cell Phone#: _____
Phone#: 954.769.2241 Fax#: 954.769.2067 E-mail: MAYE@AUTONATION.COM

5. LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, range. If the application contains multiple rezoning requests, a legal description for each requested zone must be provided. Attach separate sheets as needed and clearly label (identify) each legal description attached. In addition to paper version it is requested that lengthy metes and bounds descriptions be provided on diskette or compact disc in Microsoft Word or compatible software.)

SEE LEGAL DESCRIPTION ON ATTACHED
ALTA /ACSM LAND TITLE SURVEY

6. ADDRESS OR LOCATION OF PROPERTY (For location, use description such as NE corner of, etc.)

17305 S. DIXIE HIGHWAY
PALMETTO BAY, FL 33157

7. SIZE OF PROPERTY (in acres): 14.889 (divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property acquired leased: 5/19/12 **9. Lease term:** N/A years
(month & year)

10. IS CONTIGUOUS PROPERTY OWNED BY THE SUBJECT PROPERTY OWNER(S)? yes no If yes, provide complete legal description of said contiguous property.

11. Is there an option to purchase or lease the subject property or property contiguous thereto? no yes (If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

12. PRESENT ZONING CLASSIFICATION: _____

13. APPLICATION REQUESTS (Check all that apply and describe nature of the request in space provided)

District Boundary(zone) Changes [Zone(s) requested]: _____
(Provide a separate legal description for each zone requested)

Unusual Use: _____

Use Variance: _____

Non-Use Variance: OF SIGN REGULATIONS

Alternative Site Development: Option: _____

Special Exception: _____

Modification of previous resolution/plan: _____

Modification of Declaration or Covenant: _____

14. Has a public hearing been held on this property within the eighteen (18) months? no yes. If yes, provide applicant's name, date, purpose and result of hearing, and resolution number:

15. Is this application a result of a violation notice? no yes. If yes, give name to whom the violation notice was served: and describe the violation:

16. Describe structures on the property: AUTOMOBILE SALES SHOWROOM AND SERVICE BUILDINGS

17. Is there any existing use on the property? no yes. If yes, what use and when established?

Use: AUTOMOBILE SALES & SERVICE Year: 1990

Planning Staff Use Only

Base Fee	Reviewed and Accepted by	Date
Receipt No.	Deemed Complete By	Date

APPLICANT'S AFFIDAVIT

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

OWNER OR TENANT AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am) (we are) owner tenant of the property described and which is the subject matter of the proposed hearing.

Signature _____

Signature _____

Sworn to and subscribed to before me this _____ day of _____, _____

Notary Public: _____ Commission Expires: _____

CORPORATION AFFIDAVIT

JEFFREY SHUPERT, VP OF AN DEALERSHIP HOLDING CORP., A FLORIDA CORP. (I)(WE) _____, being first duly sworn, depose and say that (I am) (we are) the President Vice-President Secretary Asst. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing, and that said corporation is the owner tenant of the property described herein and which is the subject matter of the proposed hearing.

Attest: _____
Jonathan P. Ferrando
Assistant Secretary

AND JONATHAN P. FERRANDO, ASSISTANT SECRETARY.

Authorized Signature _____
Vice President
Office Held _____

(Corp. Seal)

Sworn to and subscribed to before me This 12th day of December, 2011.

Notary Public: Cynthia A. Hallgren
Commission Expires: _____

PARTNERSHIP AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am) (we are) partners of the hereinafter named partnership, and as such, have been authorized to file this application for a public hearing; and that said partnership is the owner tenant of the property described herein which is the subject matter of the proposed hearing.

By _____ %

By _____ %

By _____ %

By _____ %

Sworn to and subscribed to before me This _____ day of _____, _____

Notary Public: _____ Commission Expires: _____

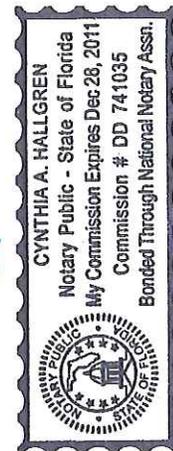
ATTORNEY AFFIDAVIT

I, _____, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am Attorney for the Owner of the property described and which is the subject matter of the proposed hearing.

Signature _____

Sworn to and subscribed to before me This _____ day of _____, _____

Notary Public: _____ Commission Expires: _____

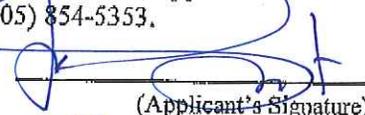


ATA

RESPONSIBILITIES OF THE APPLICANT AFFIDAVIT

I AM AWARE THAT:

1. The Public Works Department, the Department of Environmental Resources Management (DERM), and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Public Works conditions and advise this office in writing if my application will be withdrawn.
2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property and I am responsible for paying the additional radius mailing costs. In addition to mailing costs, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred. I understand that fees must be paid promptly. Applications withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. Refunds must be requested in writing.
3. The Florida Building code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and a building permit will probably be required. I am responsible for obtaining any required permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
4. The 3rd District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Plan (CP) cannot be approved by a zoning board based upon considerations of fundamental fairness. Therefore, I acknowledge that if the hearing request is inconsistent with the CP and I decide to go forward then my hearing request can only be denied or deferred, but not approved.
5. Any covenant to be proffered must be submitted to the Village Attorney, on County form, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Village Attorney can advise as to additional requirements applicable to foreign corporations. Documents submitted to the Village Attorney must carry a cover letter indicating subject matter, application number and hearing date. Village Attorney may be reached at (305) 854-5353.



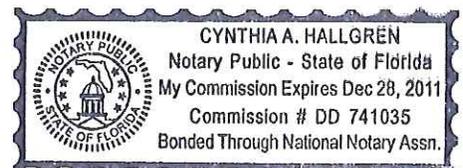
(Applicant's Signature)

Jeffrey Shupert

(Print Name)

Sworn to and subscribed before me this 12th day of December, 2011, Affiant is personally known to me or has produced _____ as identification.

Cynthia A. Hallgren
 (Notary Public)
 My commission expires 12-28-11



OWNERSHIP AFFIDAVIT FOR CORPORATION

STATE OF FLORIDA COUNTY OF BROWARD

Public Hearing No.

Before me, the undersigned authority, personally appeared Jeffrey Shapert hereinafter the Affiant(s), who being first duly sworn by me, on oath, deposes and says:

- 1. Affiant is the president, vice-president or CEO of the Corporation, with the following address: Vice President - 200 S.W. 1st Ave #1400 Ft. Lauderdale, FL 33301
2. The Corporation owns the property which is the subject of the proposed hearing.
3. The subject property is legally described as: ALL OF PERRINE CENTER REPLAT, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 134, PAGE 74, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. SAID LANDS CONTAIN 648,520 SQUARE FEET (14.889 ACRES), MORE OR LESS.
4. Affiant is legally authorized to file this application for public hearing.
5. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

Elaine May Signature

ELAINE MAY Print Name

James Amendola Signature

James Amendola Print Name

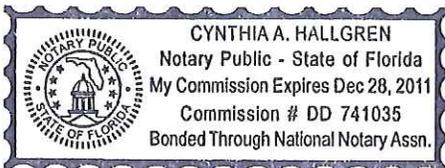
Affiant's signature

Jeffrey Shapert Print Name

Sworn to and subscribed before me on the 12th day of December 20 11.

Affiant is personally known to me or has produced as identification.

Notary Cynthia D. Hallgren



(Stamp/Seal) Commission Expires: 12-28-11

SOUTH



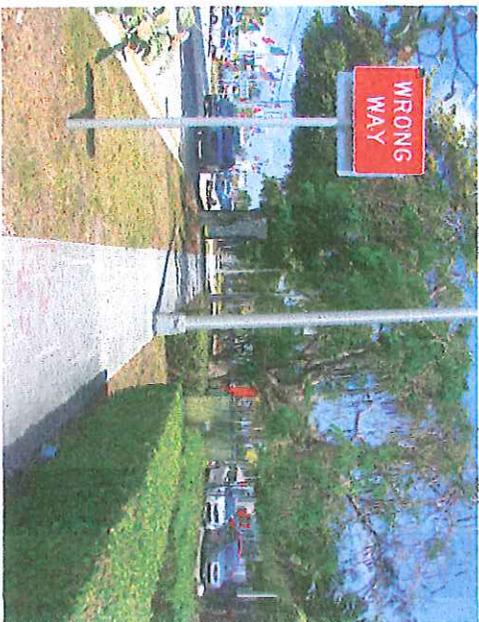
East/Elev N Bound traffic



NORTH



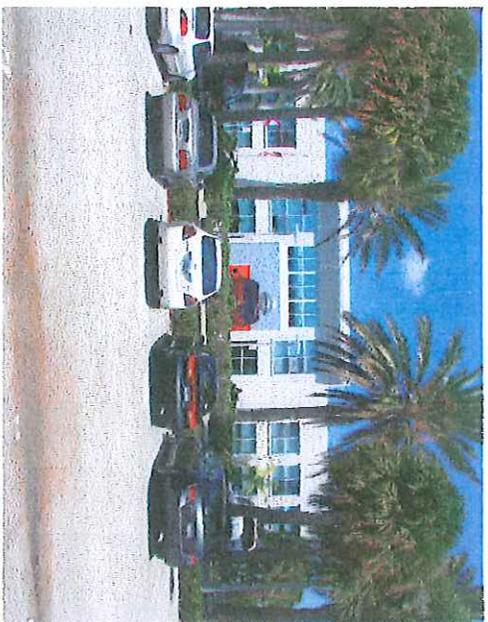
WRONG WAY



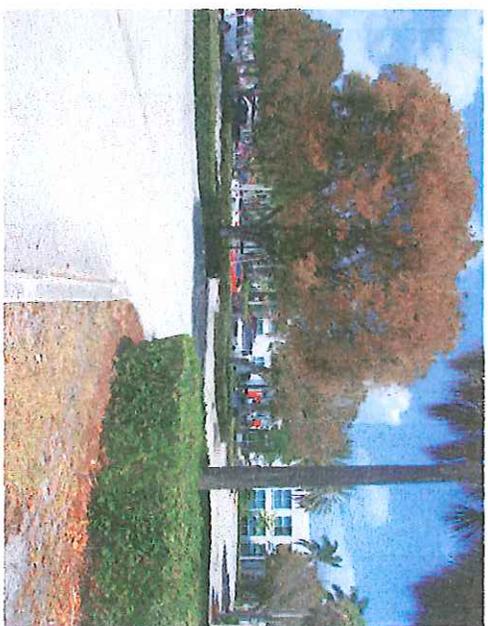
EAST



SOUTH



WEST

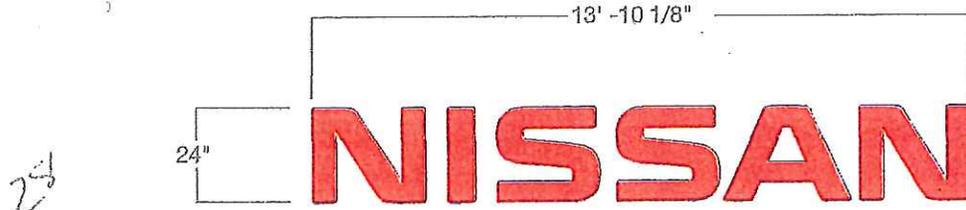


EAST





II. SCHEDULE OF SIGNS



- C Nissan Word Mark Channel Letters
24" Channel Letters (Total of 2) 28 sq.ft.
1 NEW, 1 EXISTING



- D Dealer Name Letters
18" Channel Letters (Total of 2) 16.70 sq.ft.
1 NEW, 1 EXISTING

RECEIVED
Zoning Department
4/3/12
Village of Palmetto Bay
Building & Zoning Department
By:

Existing East Elevation



Maroone = 28 sq.ft
 Nissan = 17 sq.ft.
 Nissan Medallion 25 sq.ft
Total sq.ft. = 70 sq.ft

Proposed East Elevation



C: 24" Nissan Word Mark Channel Letters

D: 18" Dealer Name Letters

REVISIONS



JOB NAME	Maroone Nissan of Kendall	
JOB ADDRESS	17305 S. Dixie Hwy, Palmetto Bay FL 33157	
DRAWING No.	SALESMAN	
DATE	DESIGNER	

South Elevation



REVISIONS

mcneill
McNeill Signs, Inc.

JOB NAME Maroone Nissan of Kendall
 JOB ADDRESS 17305 S. Dixie Hwy
 DRAWING No. _____ SALESMAN _____

SOUTH ~~WEST~~ ELEVATION



Maroon = 28 sq.ft
 Nissan = 17 sq.ft.
 Nissan Medallion 25 sq.ft
total sq.ft. = 70 sq.ft

PROPOSED SOUTH ELEVATION



C: 24" Nissan Word Mark Channel Letters

D: 18" Dealer Name Letters

REVISIONS

mcrall
 McNeill Signs, Inc.

555 S. DIXIE HWY, EAST
 POMPAHO BEACH, FLA 33060
 (305) 948-3474

JOB NAME	Maroon Nissan of Kendall		
JOB ADDRESS	17305 S. Dixie Hwy, Palmetto Bay, FL 33157		
DRAWING No.	SALESMAN		
DATE	4/3/12	DESIGNER	

ZONING HISTORY

VPB-12-003 A.N. DEALERSHIP HOLDINGS, INC.

RESOLUTION NO. 7257

The following resolution was offered by Commissioner Hugh Peters, seconded by Commissioner Grant Stockdale, and upon vote duly adopted:

WHEREAS, Kenneth Keyes, Jr. has applied for a change of zone from RU-2 (6100 and 7600 c.f.), BU-2 (6100 and 7600 c.f.), AU (3,000 c.f.) and GU (3,000 c.f.) to BU-1 (7600 c.f.) to permit business development on that portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ and also that portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 55 South, Range 40 East; lying West of State Road #5 North bound, and lying East of State Road #5 South bound, and all of Lots 1, 2, 3, and 4, Block 32 of Perrine Subdivision (PB B, Pg. 79); said property between U. S. Highway #1 (Perrine By-pass) and extending from Illinois Street to Chafer and Banyan Streets, Dade County, Florida, and

WHEREAS, a public hearing of the Dade County Zoning Commission was advertised and held, as required by law, and after hearing all interested parties, and considering the adjacent areas, the Zoning Commission recommended a change of zone to BU-1, masonry construction required, with a minimum cubic content requirement of 10,000 cubic feet minimum, under the following conditions:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan being substantially in accordance with the plan prepared by Seward H. Mott, land planning consultant, filed with the Dade County Planning, Zoning and Building Department as a part of the hearing with the following exceptions:
 - a. Either dual fronts be provided on the building erected on the North and South portion of the property adjacent to the intersecting streets, or a suitable type of landscaping be provided to screen the rear portion of buildings from adjacent streets.
 - b. Greater detail be provided in the plot plan to include signs, type of landscaping, drainage, and garbage disposal, etc.
 - c. Larger service drives be provided.
2. That the use be established and maintained in accordance with the approved plan.
3. That the property be placed under a unity of title to insure proper development and maintenance of the shopping center.
4. That the proposed controls for the shopping center development be subject to the approval of the Zoning Director, this shall include any restrictions, formation of any associations, enforcement of controls, etc.
5. That a plat of the property in question be recorded.

6. That the State Road Department and County Engineer's approval be secured on all entrances, exits, acceleration and deceleration lanes.
7. That the property owners submit a suitable agreement meeting with the approval of the Zoning Director for the development of the property such as landscaping, drives, streets, parking areas, etc.
8. That the zone change become effective upon the approval of the plot use plan, method of controls, and upon the recording of the plat in question.

WHEREAS, it appears to this Board that the change of zone, as recommended by the Zoning Commission, would be in accord with and for the betterment of the overall comprehensive zoning plan for Dade County, Florida;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the change of zone, as recommended by the Zoning Commission, be, and the same is hereby approved.

The Zoning Director is hereby directed to make the necessary changes and notations upon the maps and records of the Dade County Planning, Zoning and Building Department, upon the approval of the plot use plan, methods of control, and upon the recording of the plat in question.

PASSED AND ADOPTED this 3rd day of August, 1954.

August 10, 1954

Mr. Kenneth Keyes, Jr.
8000 Sunset Drive
South Miami, Florida

Dear Mr. Keyes:

Enclosed is a copy of Resolution No. 7257, adopted by the Board of County Commissioners, Dade County, Florida, approving a change of zone to BU-1 (resort) (10,000 s.f.) on property in the NW $\frac{1}{4}$ of Section 33-55-40. Please note the conditions under which said change of zone has been approved, and particularly that the change of zone becomes effective upon the approval of the plot use plan, methods of control, and the recording of a plat. I would suggest that you contact this office as soon as possible in reference to these conditions.

Very truly yours,

DADE COUNTY PLANNING, ZONING, AND BLDG. DEPT.

C. C. Czebrinski

CCG: A
Encl.

September 28, 1955

Mr. Kenneth S. Keyes, Jr.
8000 Sunset Drive
South Miami, Florida

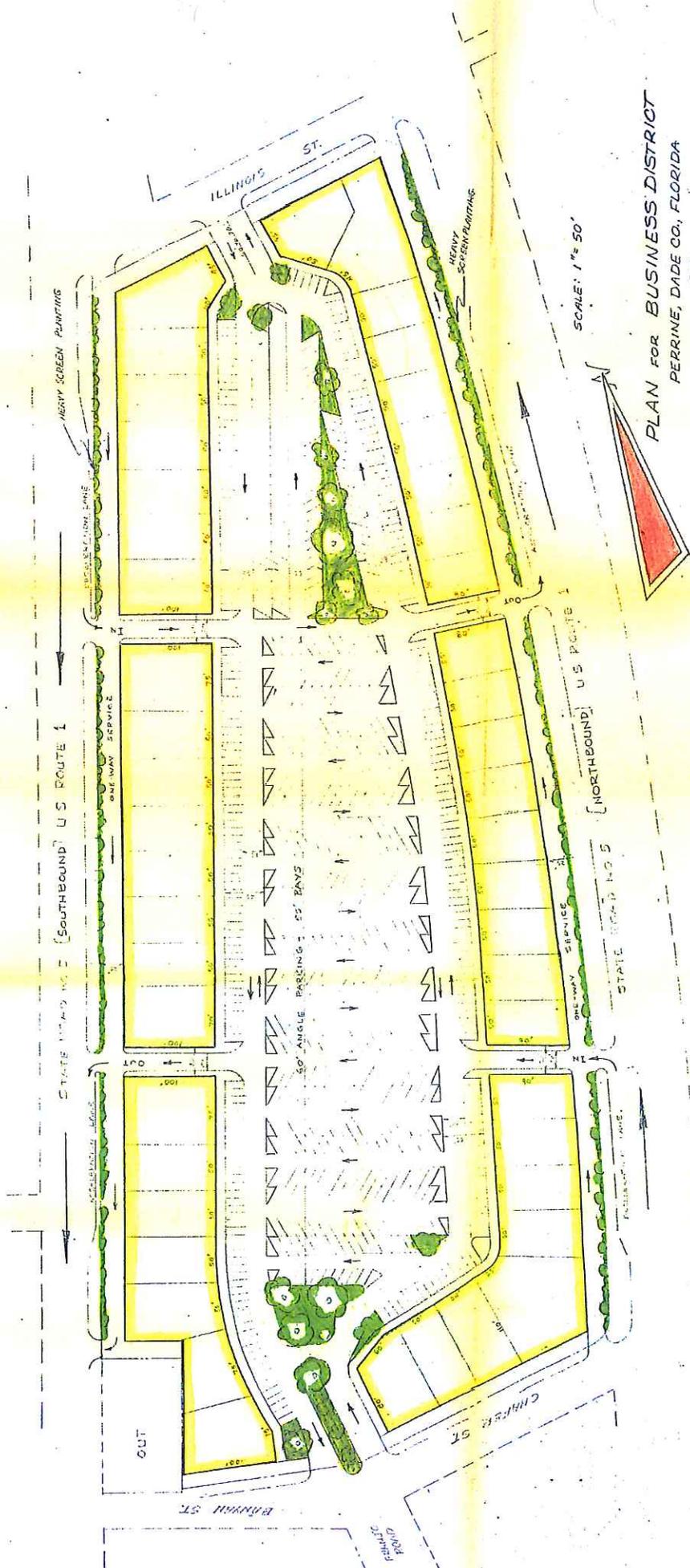
Dear Mr. Keyes:

Enclosed is a copy of Resolution No. 8772 adopted by the Board of County Commissioners, Dade County, Florida, amending conditions applicable to the Perrine business center. Please note that this resolution permits the release of construction permits on ten (10) store units only and that further permits will be subject to the recording of a plat of the property in question.

Very truly yours,

Chester C. Czebrinski, Deputy Director
Dade Co. Planning, Zoning, & Bldg. Dept.

CCG/era
Encl.



SCALE: 1" = 50'

PLAN FOR BUSINESS DISTRICT
 PERRINE, DADE CO., FLORIDA
 FOR

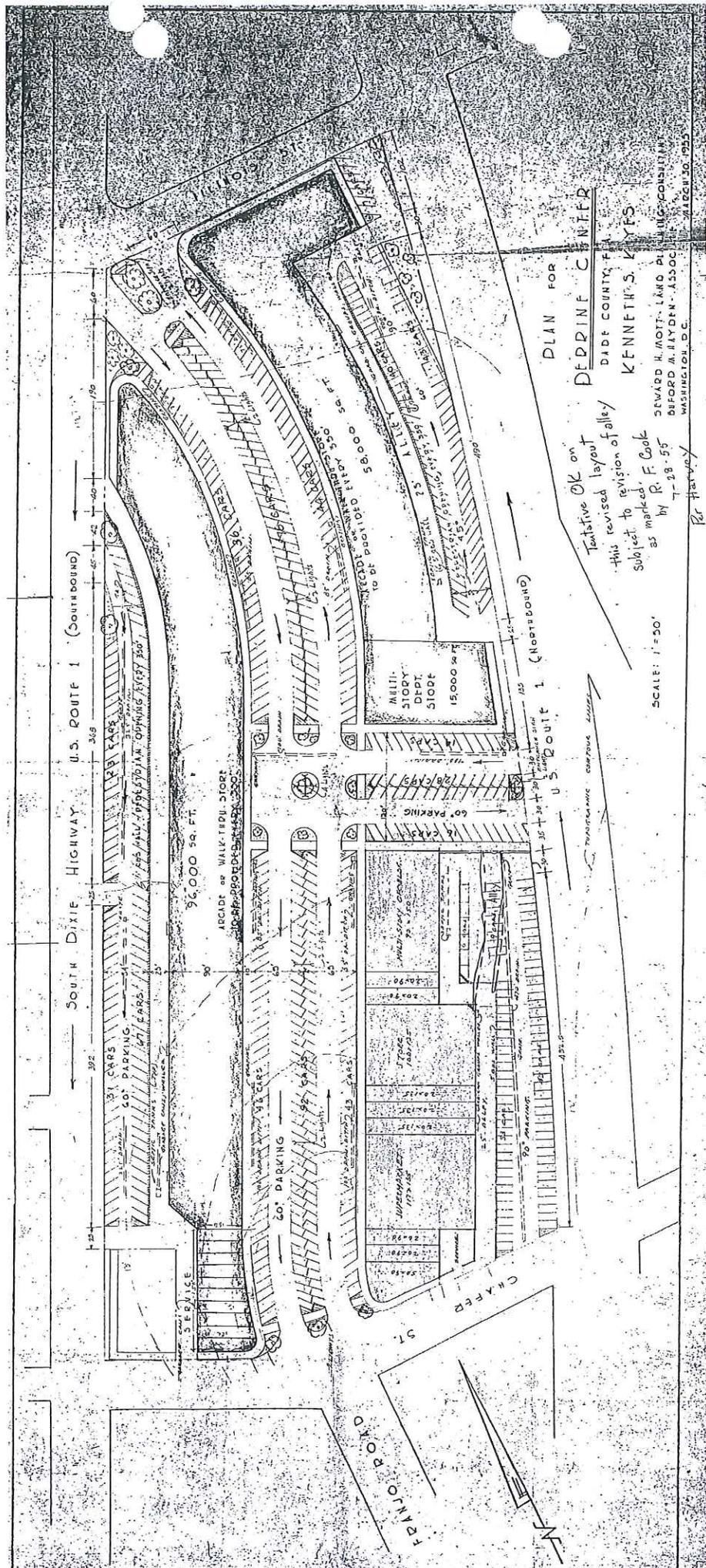
KENNETH S. KEYES, JR.,

SEWARD M. HOTT LAND PLANNING CONSULTANT
 EMPLOYED BY KEYES & ASSOCIATE
 WASHINGTON, D.C.

JUNE 1964

[Handwritten signature]

TOTAL STORGE AREA = 240,000^{sq} ft
 TOTAL PARKING SPACES = 775

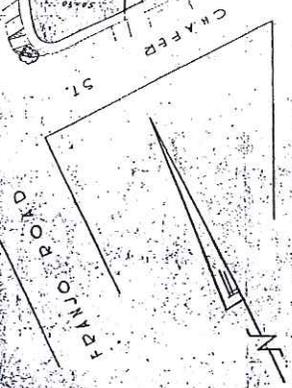


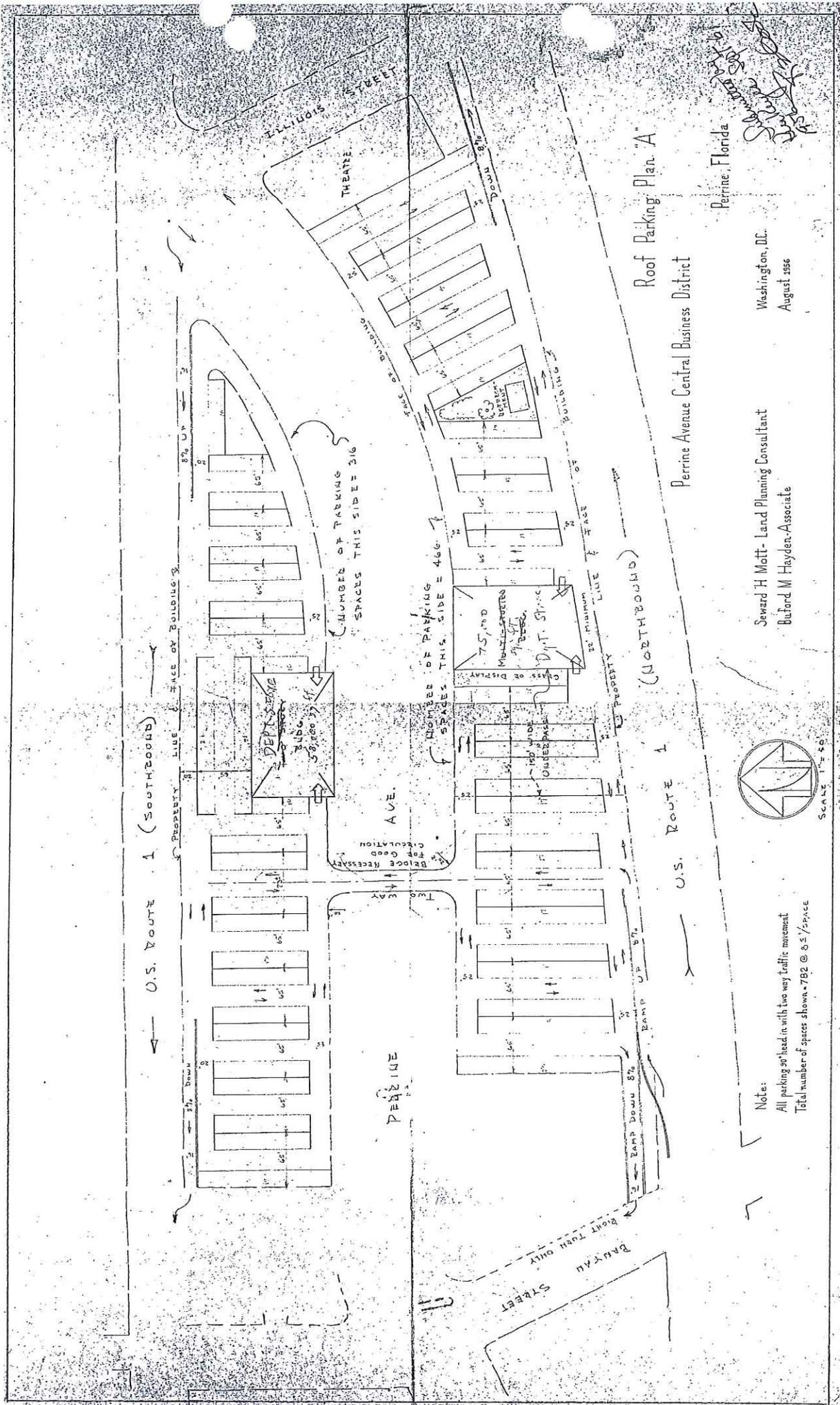
PLAN FOR
DEDRINE CENTER
 DIXIE COUNTY, FLORIDA
 KENNETH S. KRYFS

Tentative OK on
 this revised layout
 subject to revision of alleys
 as marked, F. Cook
 by R. F. Cook
 7-28-55
 Per Harvey

SEWARD H. MOFFETT, LAND PLANNING CONSULTANT
 510 FORD A. HYDEN ASSOCIATES
 WASHINGTON, D. C. 20001
 APRIL 30, 1955

SCALE: 1"=50'





U.S. ROUTE 1 (SOUTHBOUND)

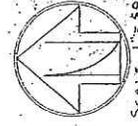
Roof Parking Plan A

Perrine Avenue Central Business District

Perrine, Florida

Seward H Mott - Land Planning Consultant
 Buford W Hayden - Associate

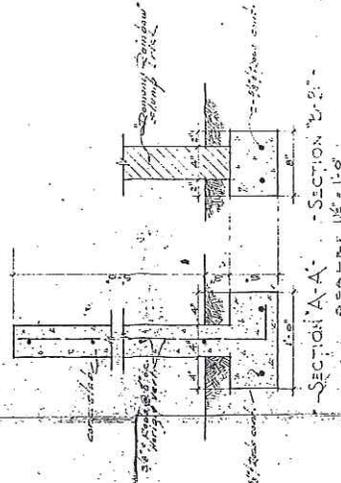
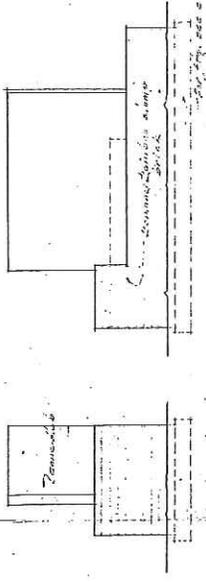
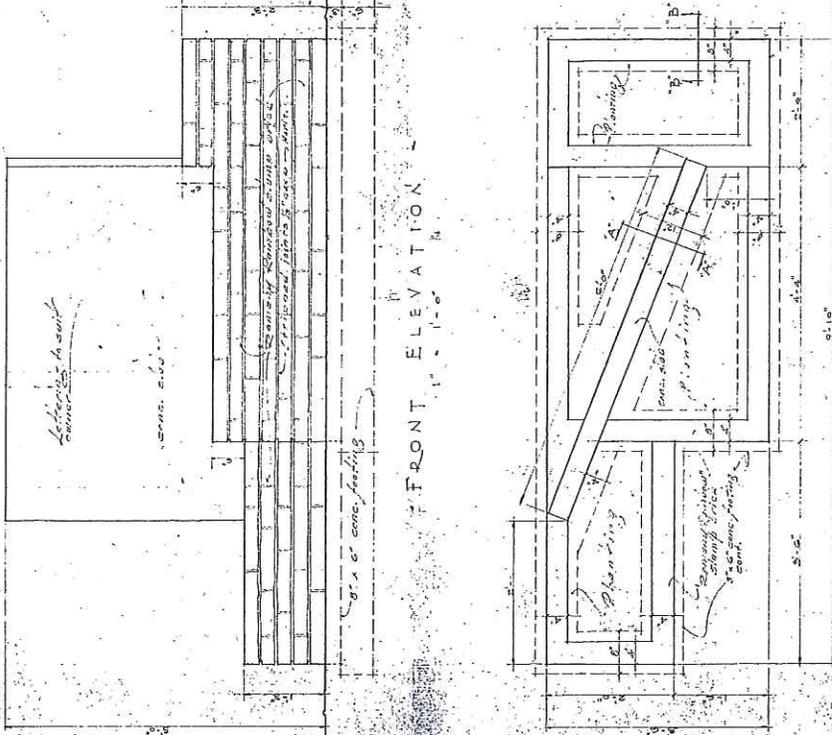
Washington, DC
 August 1958



SCALE 1" = 50'

Note:
 All parking to head in with two way traffic movement
 Total number of spaces shown = 792 @ 85' / space

Handwritten signatures and notes:
 Seward H Mott
 Buford W Hayden
 August 1958



PERKINNE
CENTRAL BUSINESS
DISTRICT ALL

FULL VIEW OF SIGN
ALL WORDS & THIS TYPE
REFER TO BE USED AS SHOWN.

STUDY ONLY

Rev. 10/15/55

ENTRANCE MARKER	
PERKINNE CENTER	
DATE	10-15-55
BY	BAXTER-GODWIN & SHARTLE
COMP	INCORPORATED
	MIAMI, FLORIDA
DESIGN	EDWARD R. BAXTER
	J. HERBERT SHARTLE
	ARCHITECTS
	ENGINEER

073 RE-GRAPED PLOT PLAN

NOTES:

1. ALL WORK SHALL BE SUBJECT TO THE APPROVAL OF THE CITY ENGINEER AND THE DISTRICT ENGINEER.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY AND DISTRICT ENGINEERS.

3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.

5. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE AND EROSION CONTROL MEASURES THROUGHOUT THE PROJECT.

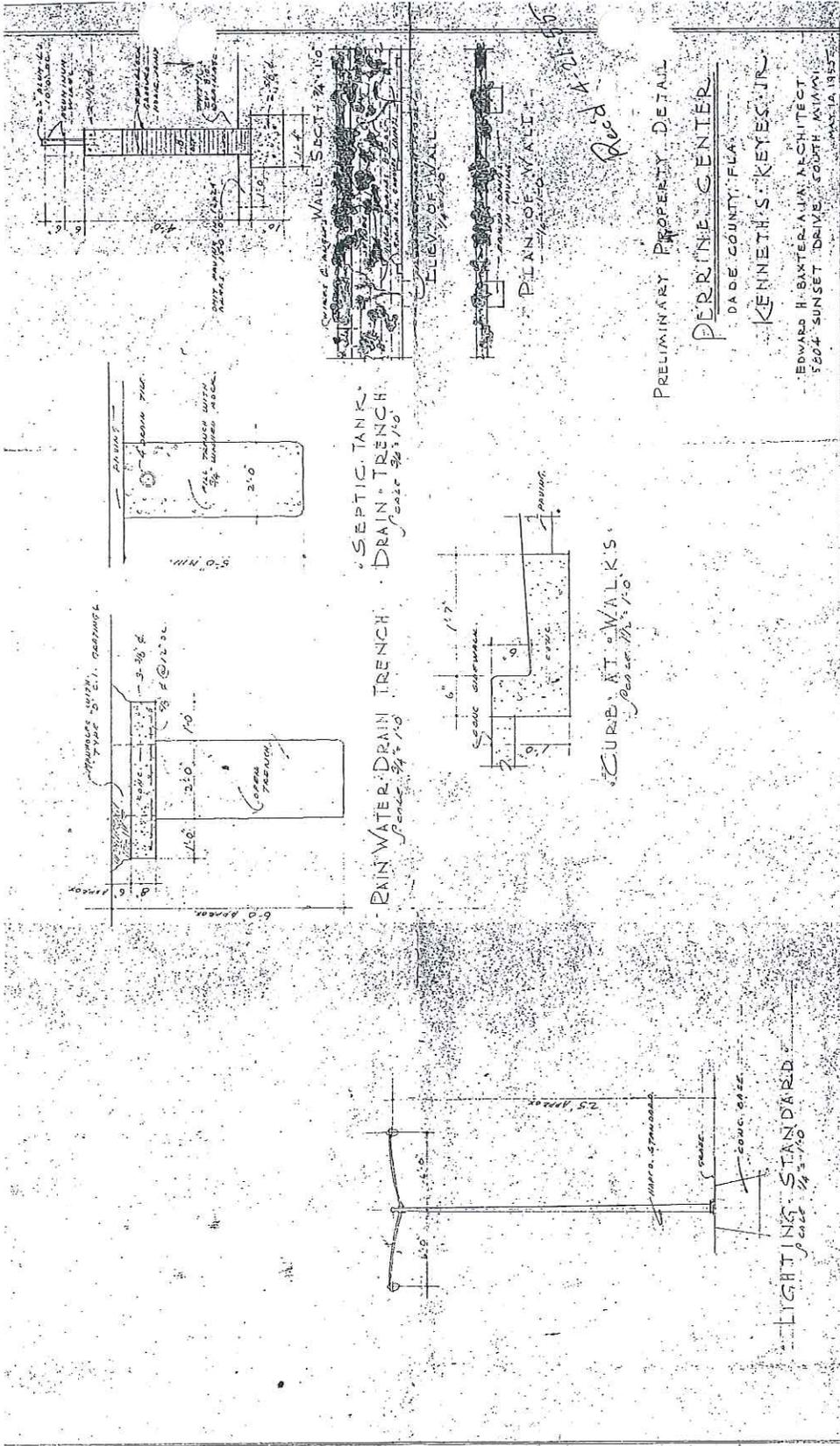
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL VEGETATION AND LANDSCAPE.

7. THE CONTRACTOR SHALL MAINTAIN ADEQUATE SAFETY MEASURES AND TRAFFIC CONTROL THROUGHOUT THE PROJECT.

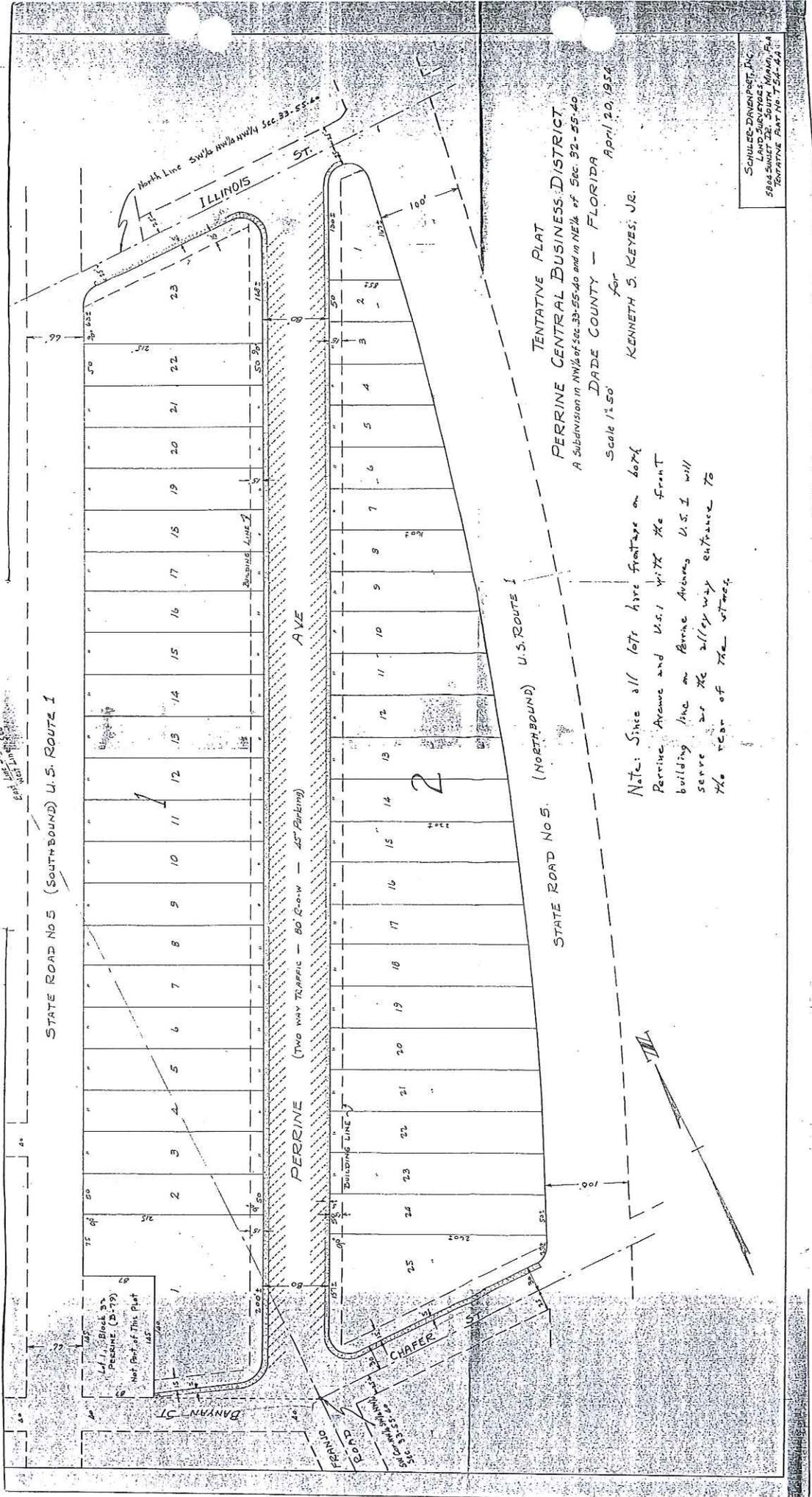
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING UTILITIES AND STRUCTURES.

9. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE AND EROSION CONTROL MEASURES THROUGHOUT THE PROJECT.

10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL VEGETATION AND LANDSCAPE.



PRELIMINARY PROPERTY DETAIL
 DADE COUNTY, FLA.
PERRINE CENTER
 KENNETH S. KEYES, JR.
 EDWARD H. BAXTER, AIA, ARCHITECT
 5504 SUNSET DRIVE, SOUTH MIAMI
 MAY 12, 1957



STATE ROAD NO. 5 (SOUTHBOUND) U.S. ROUTE 1

STATE ROAD NO. 5 (NORTHBOUND) U.S. ROUTE 1

PERRINE AVE (TWO WAY TRAFFIC - 80' ROAD - 45' PARKING)

Lot 1, Block 33, Perrine (25-13) Not Part of This Plat

TENTATIVE PLAT
 PERRINE CENTRAL BUSINESS DISTRICT
 A Subdivision in NW 1/4 of Sec. 33-55-40 and in NE 1/4 of Sec. 32-55-40
 DADE COUNTY - FLORIDA
 Scale 1"=50' April 20, 1954
 for KENNETH S. KEYES, JR.

Note: Since all lots have frontage on both Perrine Avenue and U.S. 1 with the front building line on Perrine Avenue U.S. 1 will serve as the alleyway entrance to the rear of the lots.

SCHULTE-DANAPART, INC.
 LAND SURVEYORS
 5804 SUMMIT ST. SOUTH MIAMI, FLA.
 TENTATIVE PLAT NO. 7-54-40

Jan 5, 56

RESOLUTION NO. ~~9190~~

The following resolution was offered by Commissioner ~~Preston B. Bird~~
~~_____~~, seconded by Commissioner ~~Grant Stockdale~~
 and upon vote duly adopted:

WHEREAS, Kenneth S. Keyes, Roberta B. Keyes, Hymer Realty Corp. and Graf Realty Corp. have applied for a change of zone from BU-1 (Neighborhood Business) to BU-1A (Limited Business) necessary to permit more liberal business uses on Lots 2, 3, and 4, Block 32, Town of Perrine Subdivision (PB B, Pge. 79); and that portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ in Section 33, Township 55 South, Range 40 East lying between North bound and South bound lanes of US #1 and between Illinois and Banyon Streets, Dade County, Florida, and

WHEREAS, a public hearing of the Dade County Zoning Commission was advertised and held as required by law and after hearing all interested parties and considering the adjacent areas, the Zoning Commission recommended that the application be approved subject to all previous conditions imposed on the property, and

WHEREAS, it appears to this Board that the change of zone, as recommended by the Zoning Commission, is in accord with the overall comprehensive zoning plan for Dade County, Florida;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the change of zone, as recommended by the Zoning Commission, be, and the same is hereby approved and said property is hereby zoned accordingly subject to all previous conditions imposed on this property.

The Zoning Director is hereby directed to make the necessary changes and notations upon the maps and records of the Dade County Planning, Zoning, and Building Department.

PASSED AND ADOPTED this 5th day of January, 1956;

HEARD 11-23-55

Maps Revised
1-17-56

700
January 26, 1956

Mr. Kenneth S. Kayos, et al
6000 Sunset Drive
South Miami 43, Florida

Re: Lots 2, 3, & 4, Block 22, Town of
Ferriss Sub. and portion of NW $\frac{1}{4}$
of Section 33-55-40.

Dear Sir:

Your application on the aforescribed property has been approved by the Board of County Commissioners, Dade County, Florida, as recommended by the Zoning Commission. I am enclosing herewith a copy of Resolution No. 9190 adopted by the Board of County Commissioners in reference to this matter.

Very truly yours,

Chester C. Czebrinski, Deputy Director
Dade Co. Planning, Zoning, and Bldg. Dept.

CCC/era
Encl.

P.S. Please note that all previous conditions imposed on the property are to remain in full force and effect.

1950
1951
1952

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1950



PROJECTED PLAN OF

PERRINE CENTRAL BUSINESS DISTRICT

For Information see Kenneth S. Keyes, Jr.

11:38 a. m.

CHAIRMAN ARONOVITZ: Deferred Hearing No. 4,
Kenneth S. Keyes, Jr.

MR. WILSON: If the department is in favor of
this I think we should let them have it. Based on the
department's recommendation, I move that this be granted.

MR. TRAMMELL: I will second that.

(The motion of Mr. Wilson, having been duly seconded,
was put to a vote and unanimously carried; Messrs. Wilson,
Trammell and Aronovitz voting aye; Messrs. Schade and Channing
not present.)

CHAIRMAN ARONOVITZ: The variance is granted
accordingly.

Kenneth S. Keyes, Jr.
11-30/31
11/28/56

December 12, 1956

Mr. Kenneth S. Keyes, Jr.
640 Perrine Avenue
Perrine, Florida

Re: Perrine Center (PB 57, Page
100); between US #1 N. bound
and US #1 S. bound from Banyon
to Illinois Streets

Dear Sir:

Your application for variance of setback requirements to permit erection to 2-level parking deck on property line on the above-described property, has been approved by the Dade County Board of Adjustment at its meeting of November 28, 1956.

The Board has requested that all applicants be advised of a thirty-day appeal period provided by statute from any of its decisions, and that any construction that is started during the appeal period will be at the risk of the applicant.

Very truly yours,

DADE COUNTY PLANNING, ZONING & BLDG. DEPT.

G. G. Czebrinski
Assistant Director

CCC/vd

cc: McIlhargy
File 1

RESOLUTION NO. 10708

11 23 156

The following resolution was offered by Commissioner
Preston B. Bird, seconded by Commissioner
I. D. MacVicar, and upon vote duly adopted:

WHEREAS, Kenneth S. Keyes, Jr. has applied for amendment of conditions to Resolution No. 7257 adopted by the Board of County Commissioners, Dade County, Florida on August 13, 1954, and of Resolution No. 9190 adopted by the Board of County Commissioners, Dade County, Florida on January 5, 1956, to permit two (2) level parking, and a special permit for signs advertising Perrine Shopping Center Subdivision (Plat Book 57, Pge 100); between U. S. Highway #1 northbound, and U. S. Highway #1 Southbound from Illinois to Banyan Streets, Dade County, Florida, and

WHEREAS, a public hearing of the Dade County Zoning Commission was advertised and held as required by law, and after hearing all interested parties and considering the adjacent areas, the Zoning Commission recommended that the application be approved subject to the following conditions:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things, but not limited thereto, location of building or buildings, type and location of signs, parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That the use be established and maintained in accordance with the approved plan.

and

WHEREAS, it appears to this Board that the amending of the aforesaid resolutions, and the special permit for the signs, as recommended by the Zoning Commission, are in accord with the overall comprehensive zoning plan for Dade County, Florida;

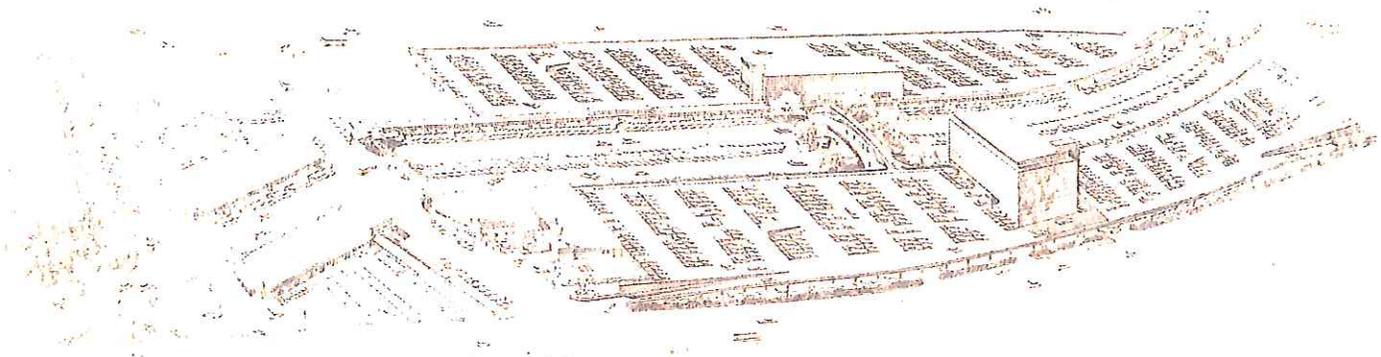
NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the amending of the aforesaid resolutions, and the special permit for the signs, as recommended by the Zoning Commission be, and the same are hereby approved.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County, Florida Planning, Zoning and Building Department.

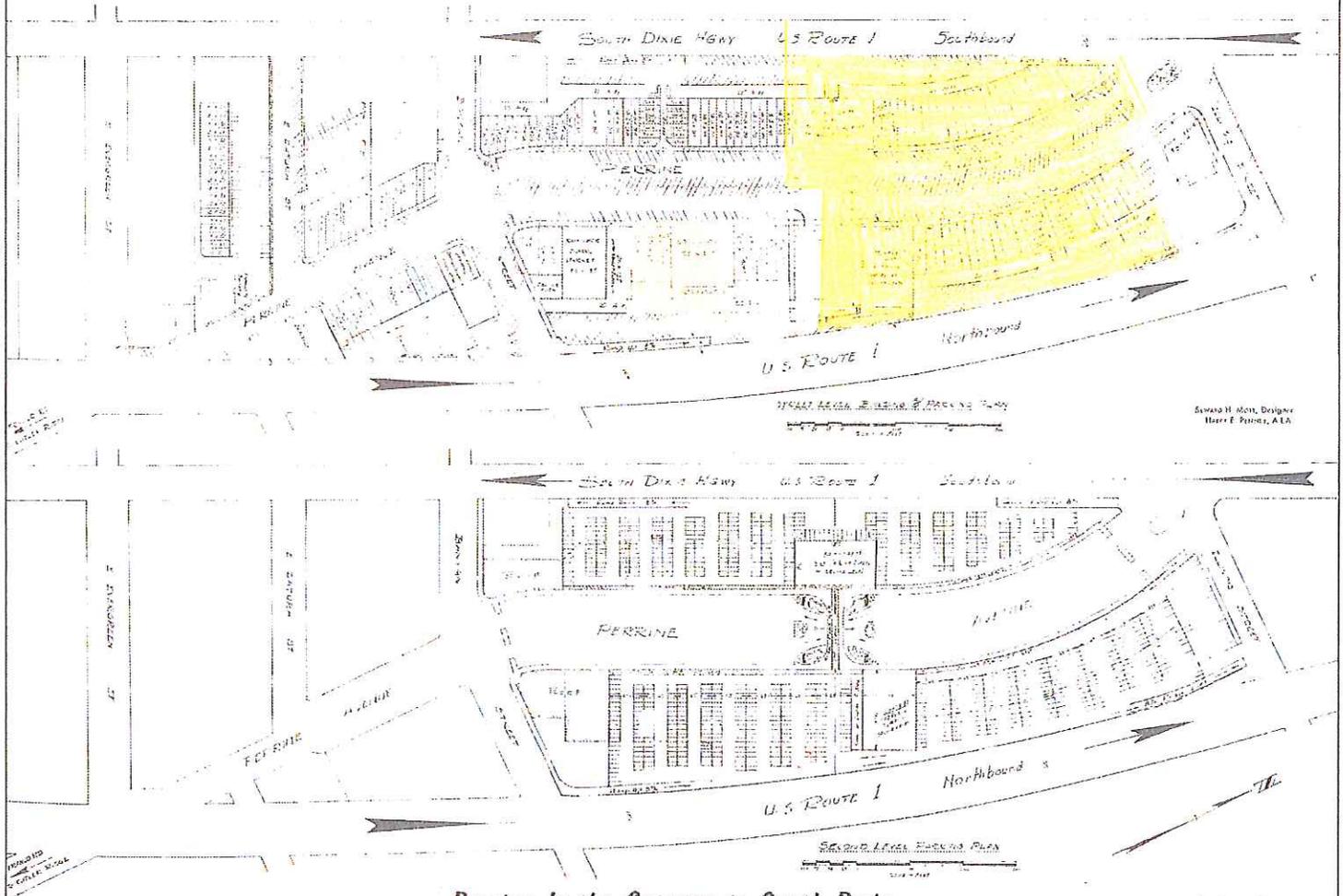
PASSED AND ADOPTED this 23rd day of November , 1956.

HEARD 10-17-56

THE PERRINE AVENUE BUSINESS DISTRICT



200 STORES WITH 2,000 CUSTOMER PARKING SPACES



Edward H. Allen, Designer
Harry F. Perrine, A.L.A.

Perrine Is the Gateway to South Dade

4/30/57

WHEREAS, on the 3rd day of August, 1954, the Board of County Commissioners of Dade County, Florida, adopted Resolution No. 7257 changing the zoning of certain property therein described to permit business development of said property upon compliance with certain conditions therein set forth, and

WHEREAS, one of said conditions provided as follows: "That the property be placed under a unity of title to insure proper development and maintenance of the shopping center", and

WHEREAS, in compliance with the aforesaid condition and other conditions contained in said Resolution, the owners of said property executed and delivered to the Zoning Director of Dade County, Florida, an agreement dated the 3rd day of August, 1955, which agreement was recorded in the office of the Clerk of the Circuit Court of Dade County, Florida, in Deed Book 4209, at Page 318, and which agreement, among other things, provided: "The property described in said Resolution will be held under one undivided ownership by the parties hereto or by ^a corporation controlled by them until developed substantially in accordance with the approved plat plan on file with the Dade County Planning, Zoning and Building Department . . .", and

WHEREAS, in the development of the property described in the aforesaid Resolution, it has become necessary and will in the future be necessary for the owners to execute mortgages to secure funds for the erection of buildings and other improvements, and

WHEREAS, because of the hereinabove quoted language contained in the aforesaid Resolution No. 7257 and in the aforesaid agreement dated the 3rd day of August, 1955, certain questions have been raised as to the validity and marketability of the title

acquired by a purchaser at a foreclosure sale in the event of the foreclosure of a mortgage covering said property, or a portion thereof,

NOW, THEREFORE, in order to clarify the meaning and intent of the Board of County Commissioners in the passage of the aforesaid Resolution No. 7257 and in the requirement of the aforesaid agreement dated the 3rd day of August, 1955, it is hereby resolved by the Board of County Commissioners of Dade County, Florida, that the aforesaid Resolution No. 7257 and the aforesaid agreement dated the 3rd day of August, 1955, shall have no effect whatsoever upon the ability and right of the owners of said property to mortgage same, or portions thereof, and shall in no way cloud the title of a purchaser of said property, or portions thereof, at a mortgage foreclosure sale.

~~RESOLUTION NO. 7257 AS AMENDED~~

The foregoing Resolution was offered by Commissioner Ralph A. Fossey, seconded by Commissioner Edwin L. Mason, and, upon being put to a vote unanimously adopted.

PASSED AND ADOPTED this 30th day of July, 1957.

STATE OF FLORIDA)
 : SS
COUNTY OF DADE)

I, E. B. LEATHERMAN, Clerk of the Circuit Court in and for Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. 41, adopted by the said Board of County Commissioners at its meeting held on July 30, 1957, as appears of record in the minutes of said Board of County Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 31st day of July, A. D. 1957.

E. B. LEATHERMAN, Ex-Officio Clerk
Board of County Commissioners
Dade County, Florida

By *[Signature]*
Deputy Clerk

SEAL

12-21-60

32/33-55-40
IV-30
60-815

Resolution No. ZB 246-60

The following resolution was offered by Mr. Frank Reynolds, Jr., seconded by Mr. William Ader, and upon poll of members present, the vote was as follows:

Leo J. Adeeb	aye	Kenneth Markham	aye
William Ader	aye	Frank Reynolds, Jr.	aye
Carl Gardner	aye	I. Tommy Thomas	aye
Leon McAskill	aye		

WHEREAS, Kenneth S. Keyes, Jr., et al has applied for a district boundary change from BU-1A (10,000 c.f.) to BU-2 (10,000 c.f.) on Tracts 1 thru' 6 incl., Perrine Center (PB 57, Pgs. 100). From SW 170 St. to SW 174 St., between US#1 (State Rd. #5) Northbound and Southbound lanes, Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, Upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change would be compatible with the neighborhood concerned and would not be in conflict with the principles and intent of the plan for Dade County, Florida;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Board that the requested district boundary change be and the same is hereby recommended for adoption by the Board of Commissioners of Dade County, Florida.

The Zoning Director is hereby directed to make the necessary notations upon the records of the Dade County Building and Zoning Department.

PASSED AND ADOPTED this 21st day of December, 1960.

No. 60-12-43
12/22/60
bs

December 29, 1960

Kenneth S. Keyes, Jr. & Roberta A. Keyes
Box 77
Coconut Grove, Fla.

Re: Your application for district boundary change from BU-1A
to BU-2 from SW 170 St. to SW 174 St., between US 61
Northbound and Southbound lanes

I am enclosing herewith a copy of Resolution No. 28 246-60,
adopted by the Metropolitan Dade County Zoning Board,
approving your application on the aforescribed property.
Please note the conditions, if any, under which the approval
was granted, inasmuch as strict compliance therewith will be
required.

You are hereby advised that there is a 21-day appeal period
established by the Metropolitan Dade County Zoning Procedure
Ordinance (60-14) and that no permits can be issued until
the appeal period expires.

Very truly yours,

METROPOLITAN DADE COUNTY
BUILDING AND ZONING DEPT.

Chester C. Czebrinski
Assistant Director

CCC/ba

Enclosure

Feb - 2 - 61

32/33-55-40
IV-30
60-815

Resolution No. 7 24-61

The following resolution was offered by Commissioner Jack H. Beckwith, seconded by Commissioner Walter Weiss, and upon poll of members present, the vote was as follows:

James H. Allen	aye	Arthur H. Patten	aye
Jack H. Beckwith	aye	Frank O. Pruitt	absent
Joseph A. Boyd, Jr.	aye	Harold E. Spaet	aye
Alexander S. Gordon	aye	Milton E. Thompson	aye
Charles F. Hall	aye	Walter Weiss	aye
Ben C. McGahay	absent	Winston W. Hym	aye
		Robert M. Haverfield	absent

WHEREAS, Kenneth S. Keyes, Jr., et al has applied for a district boundary change from BU-1A (Limited Business) 10,000 s.f. to BU-2 (Special Business) 10,000 s.f. on Tracts 1 thru 6 incl., Perrine Center (PS 57, Pgs. 100). From SW 170 St. to SW 174 St., between US#1 (State Rd. #5) Northbound and Southbound Lanes, Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Board was advertised and held, as required by law, at which time all interested parties in the matter were heard, and the Zoning Board was of the opinion that the requested district boundary change was compatible with the area concerned and would not conflict with the principles and intent of the plan for the development of Dade County, and recommended the approval of the application, and

WHEREAS, fifteen-day notice of the time and place of the meeting of this Board was published as required by the Zoning Procedure Ordinance, and after reviewing the record and recommendations of the Zoning Board, and having given an opportunity for interested parties to be heard, at which time no objections were voiced, and upon considering the record and recommendation of the Zoning Board and all matters presented at the meeting; it is the opinion of this Board that the district boundary change, as recommended by the Zoning Board, is compatible with the neighborhood and does not conflict with the principles and intent of the plan for the development of Dade County, and should be approved.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the district boundary change, as recommended by the Zoning Board, be and the same is hereby approved and said property is hereby zoned accordingly.

The Zoning Director is hereby directed to make the necessary changes and notations upon the maps and records of Dade County Building and Zoning Department.

PASSED AND ADOPTED this 2nd day of February, 1961.

February 20, 1961

Kenneth S. Keyes, Jr. & Roberta A. Keyes
Box 77
Coconut Grove, Fla.

Re: Kenneth S. Keyes, Jr. et al request for
district boundary change from BU-1A to BU-2
from SW 170 St. to SW 174 St., between US #1
(State Road #5) Northbound and Southbound
lanes, Dade County, Fla.

Your application on the aforescribed property has been
approved by the Board of County Commissioners of Dade County,
Florida, as recommended by the Zoning Commission.

I am enclosing herewith a copy of Resolution No. Z 24-61,
adopted by the Board of County Commissioners in reference to
this matter.

Very truly yours,

DADE COUNTY ZONING AND BUILDING DEPT.

Chester C. Czebrinski
Assistant Director

CCC: bs
Enc.

Hearing File

33-55-40
IV-31
Item No. 60-810

RESOLUTION NO. ZAB-7-61

The following resolution was offered by Mr. Walter Freeman, seconded by Mr. Andrew Lee, and upon poll of members present, the vote was as follows:

Henry Cove	aye	Andrew Lee	aye
Walter Freeman	aye	Stephen Hessen	aye
Burton S. Kahn	aye		

WHEREAS, Keyes, et al., have applied to the Metropolitan Dade County Zoning Board to permit Unusual Use, amusement rides & concessions, to-wit: Go-Karts, pony rides, trampolines, miniature golf course, kiddie rides, baseball batting ranges, Rollapoolenes & archery range and other amusement facilities & devices, and Variance of Zoning Regulations to permit the erection of frame (masonry required) buildings of less than the required cubic content for service, storage & refreshment stands on Tracts 2, 3, the N. 75' of 5, all of 6, Perrina Center (PB 57, Pgs. 100). W. side State Rd. #5, approx. 125' S. of SW 170 St., Dada County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and upon due and proper consideration having been given to the matter, the Dade County Zoning Board denied the application in that the requested unusual use would generate excessive noise and traffic and would be detrimental to and incompatible with the surrounding neighborhood, and that the requested variance would not be compatible with the area and its development and would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and

WHEREAS, Kenneth S. Keyes, Jr., has appealed the decision of the Zoning Board to this Board and upon a review of the record of the Zoning Board, the petition of appeal and statement in support of the decision, and upon due and proper consideration having been given to the matter, it was found that the grounds and reasons specified for a reversal of the ruling made by the Zoning Board were insufficient to merit a reversal of the decision;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the decision of the Metropolitan Dade County Zoning Board be and the same is hereby affirmed, and the requested unusual use and variance be and the same is hereby denied.

The Zoning Director is hereby directed to make the necessary notations upon the records of the Dade County Building and Zoning Department.

PASSED AND ADOPTED this 4th day of January, 1961.

Heard 11/23/60 No. 60-11-46 mc 1/17/61

Jan-4-61

32-55-40
IV-30
62-16

Resolution No. 2-ZAB-101-60

The following resolution was offered by Mr. Francis A. Calhoun, Jr., seconded by Mr. Frank P. Reynolds, Jr., and upon poll of members present, the vote was as follows:

William Ader	aye	Kenneth Markham	aye
Paul Brockman	aye	Frank F. Reynolds, Jr.	aye
Francis A. Calhoun, Jr.	aye	Harold E. Ross, Jr.	abstain
Carl Gardner	aye	Milton Sirkin	aye
Joseph H. Gardner	aye	C.V.W. Trice, Jr.	aye
Harry K. Hurst	absent	I. Tommy Thomas	aye
Andrew Lee	aye		

WHEREAS, Ferrine Shopping Center has applied for an UNUSUAL USE to permit shopping center promotional activities ON that portion of Tract 5, Ferrine Center (FD 57, Pgs. 100) lying in Section 32, Township 55 South, Range 40 East, NE corner US #1 (State Rd. #5) and Bayan St., Dade County, Florida, and

WHEREAS, an inspection of the subject property was made and a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested unusual use, under certain conditions, would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the requested unusual use be and the same is hereby approved subject to the following conditions:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include layout of the promotional installations, type and location of structures, lights, signs, light standards, etc.
2. That the use be established and maintained in accordance with the approved plan.
3. That the uses be limited in type, nature and scope to those uses which the Zoning Director feels will not be detrimental to the surrounding neighborhood either because of noise, odor, vibration, light or smoke or which will not deplete the required parking area in the center to an unreasonable degree, or which will create unreasonable traffic bottlenecks in the center or on the adjacent streets.
4. That the uses to be installed be strictly on a temporary basis for a limited period of time and be subject to such conditions as may be deemed necessary to insure public safety, health and welfare.
5. That the time for elimination of said uses be determined by the Zoning Director, taking into consideration the type and nature of the use and its effect on the surrounding neighborhood and traffic on the adjacent streets.

32-55-40
IV-39
62-16

6. That in the event a permitted use proves to be undesirable, detrimental, hazardous or a nuisance to the surrounding area, the same shall be immediately removed upon the request of the Zoning Director.
7. That a Certificate of Use and Occupancy be applied for and issued by the Dade County Building and Zoning Department for each promotional activity prior to its operation in the shopping center.
8. That the use permit be automatically renewable annually by the Dade County Building and Zoning Department upon compliance with all terms and conditions and be subject to cancellation upon violation of any of the conditions or when, in the opinion of the Metropolitan Dade County Zoning Appeals Board, Dade County, Florida, after public hearing, it is determined that the use is detrimental and/or incompatible to the surrounding neighborhood.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department, and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 21st day of February, 1962.

Heard: 2-21-62
No. 62-2-56
3-1-62
bb

cc: Mr. Day
Hearing file
Dade County Department of Public Health
State Welfare Department
Department of Public Safety

March 1, 1962

Perrine Shopping Center
17392 S. Federal Highway
Miami 57, Florida

Re: Application for unusual use to permit shopping center
promotional activities; Section 32-55-40.

Enclosed herewith is a copy of Resolution No. 2-ZAB-101-62,
adopted by the Metropolitan Dade County Zoning Appeals Board, approving
your application concerning the above subject matter.

Please note the conditions under which said approval was granted, inasmuch
as strict compliance therewith will be required. The required plot use
plan should be submitted to this office in triplicate for approval before
any detailed plans are prepared, inasmuch as building permits will not be
issued prior to the approval of said plan.

Certificate of Use and Occupancy will be required, and will be issued
upon completion of construction authorized by this resolution.

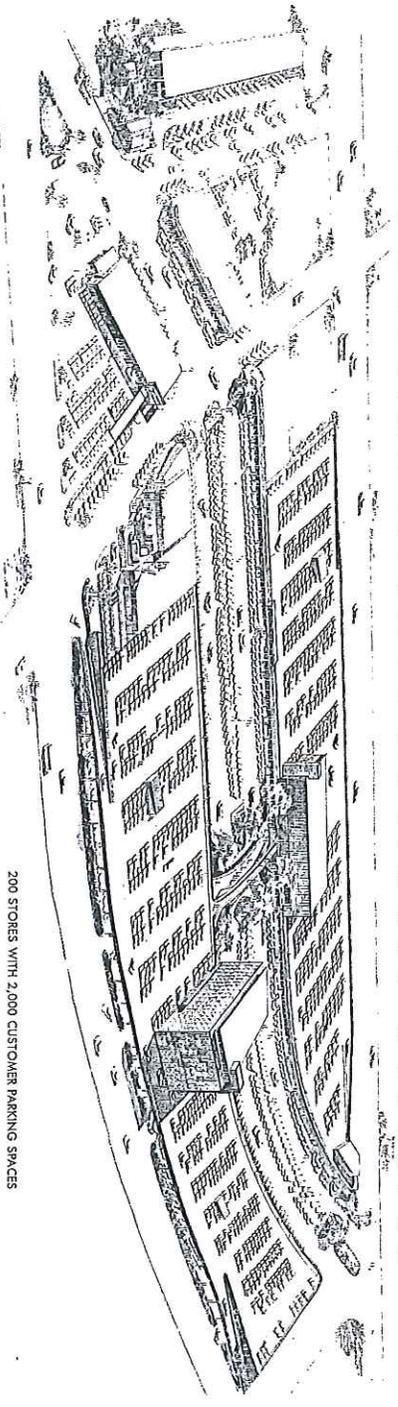
Very truly yours,

METROPOLITAN DADE COUNTY
BUILDING AND ZONING DEPT.

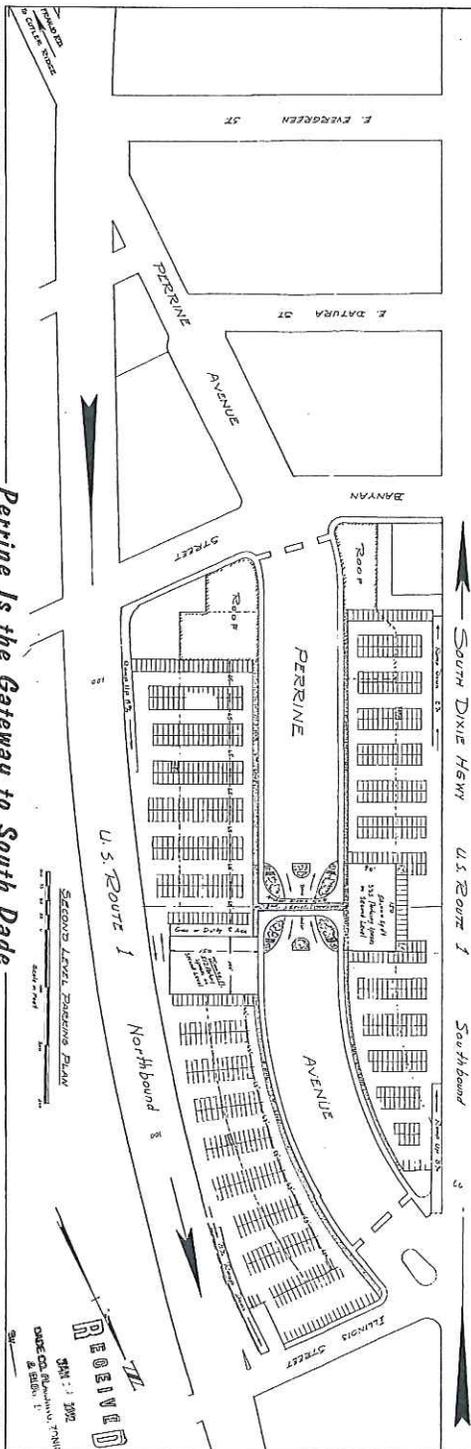
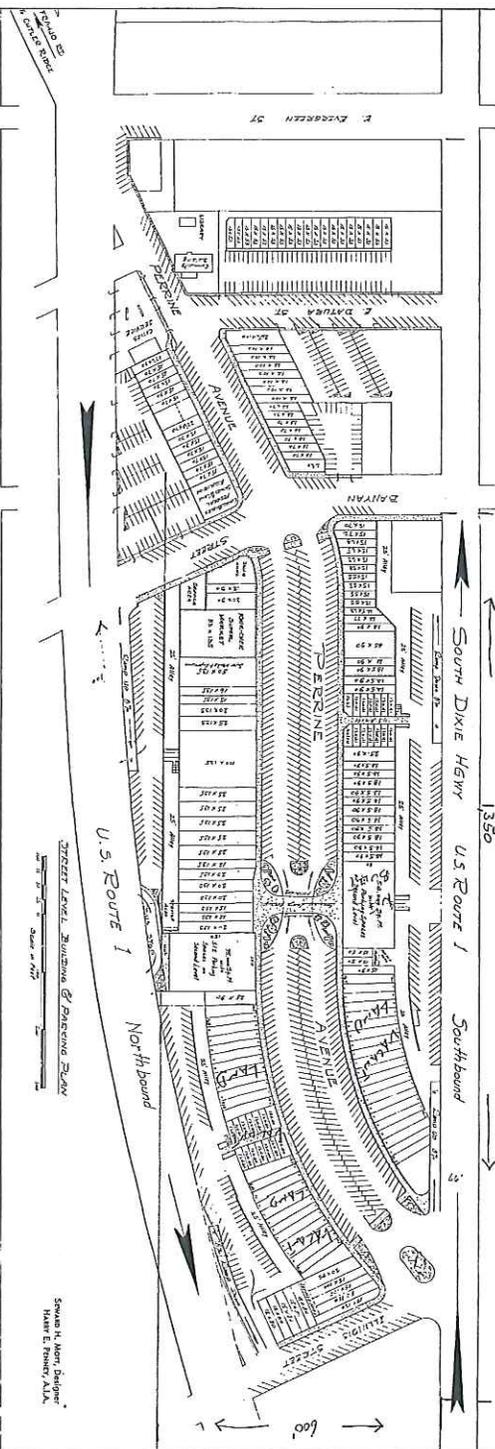
CCC/RF bs
Enclosure

Chester C. Czebrinski
Assistant Director

THE PERLINE AVENUE BUSINESS DISTRICT



200 STORES WITH 2,000 CUSTOMER PARKING SPACES



FOR FURTHER INFORMATION, SEE E. S. KETTEL, JR., 6410 PINEHURST AVENUE

Perline Is the Gateway to South Dade

RECEIVED
JAN 1 1962
DATE OF SUBMISSION 7/15/61
A. BULLOCK

Approved Herein—Subject to Change

3/29/69

32/33-55-40
IV(36)
68-701

RESOLUTION NO. 4-ZAB-181-69

The following resolution was offered by Mr. William L. Flynn, seconded by Mr. Roger Shaw, and upon poll of members present, the vote was as follows:

Neal Adams	no	Virginia Salley	no
Hilton R. Carr, Jr.	absent	Roger Shaw	yes
Irene Faugno	yes	H. H. Wood	yes
William L. Flynn	yes	Andrew Lee	yes
Leonard Levenstein	absent		

WHEREAS, Cecil T. Carter has applied for a VARIANCE of Zoning Regulations permitting restaurants to serve alcoholic beverages to patrons seated at tables only and in conjunction with full course meals, to waive same and to permit the service of alcoholic beverages without full course meals and at a bar, on Tract 5, Perrine Center (PB 57, Page 100), 17376 Perrine Avenue (600 Perrine Avenue) Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested variance would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the requested variance be and the same is hereby approved.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department.

PASSED AND ADOPTED this 12th day of March, 1969.

Heard 3/12/69
No. 69-3-60
3/24/69
stp

March 24, 1969

Mr. Cecil T. Carter
P. O. Box 926
Perrine, Florida

RE: Hrg. 69-3-60 17376 Perrine Avenue, Dade Co., Florida

Enclosed herewith is a copy of Resolution No. 4-ZAB-181-69, adopted by the Metropolitan Dade County Zoning Appeals Board, approving your application concerning the above subject matter.

If said approval was with conditions, please note same carefully inasmuch as strict compliance therewith will be required.

You are hereby advised that the decision of the Zoning Appeals Board may be appealed by an aggrieved party (within 14 days) or by the Directors of the Dade County Building and Zoning Department and Planning Department (within 18 days), as has been provided in Chapter 33-313 of the Code of Metropolitan Dade County, Florida; and that no permits or Certificate of Use and Occupancy can be issued until the appeal periods have expired, and only if no appeal has been filed. Application for necessary permits should be made with this department. The appeal period commences to run two days after the adoption date of the Resolution.

Very truly yours,

METROPOLITAN DADE COUNTY
BUILDING AND ZONING DEPARTMENT

CCC/ stp
Enc.

Chester C. Czebrinski
Assistant Director

cc: Mr. Bryan
/Hearing File

with long-term loans for people in poverty -- whether they pay \$30.00 or \$40.00 a month. It is still my conviction that our people need to be in a home to themselves, and I think that we can keep down the crime problem that we have by going in that direction, instead of crowding them among themselves.

That is why I am supporting the motion for denial, because at this point -- and you know I work with the Crime Commission of Greater Miami -- Richmond Heights at this point has the lower crime rate of any community, I think, in the whole nation, Richmond Heights; and I think that if this bears out to be true, why we on this Zoning Board should try our very best to help them keep this crime rate down. I know a little bit about this because of the community where I live. I have worked very hard, and we are second in low rate of crime, and they are ahead of us.

So, therefore, I am going to support the motion for denial, and let all these people know that I am for you 100% and will do anything and come meet with you -- do anything to help you get better housing; but overcrowding is not the answer.

Chairman Lee: Any further discussion on the motion? ...

Mr. Shaw: I am opposed, Mr. Chairman.

Chairman Lee: Motion carries by a vote of six to one for denial of the application. (Mr. Carr and Mr. Lvenstein, excused.)

Wilbur B.
Bell

69-3-59 4-ZAB-180-69

Mr. Wood: Mr. Chairman, I would like to offer a motion for approval of the special exception and also the variance, with the condition that the property on 176th Street be permitted for building a duplex, but designed in such a nature as to give the appearance of a single-family dwelling; and to permit, on 177th Street portion of the property, a single-family residence as recommended by the building and Zoning Department.

Chairman Lee: Seconded by Mrs. Salley. Discussion on the motion?

.....
Mr. Czebrinski: The north side to the duplex, and the south side to single family.

Mr. Wood: And that the duplex have the appearance of a single-family residence, but to permit it to be a duplex.

.....
Chairman Lee: ... Motion carries seven to zero for approval. (Mr. Carr and Mr. Levenstein, excused.)

Cecil T.
Carter

69-3-60 4-ZAB-181-69

Mr. Flynn: I make a motion that this be approved as per the Planning Board.

Chairman Lee: Seconded by Mr. Shaw. Discussion on the motion? Those opposed signify by raising their right hand.

(Mr. Adams and Mrs. Salley raise their hands.)

Chairman Lee: Motion carries by a vote of five to two for approval. (Mr. Carr and Mr. Levenstein, excused.)

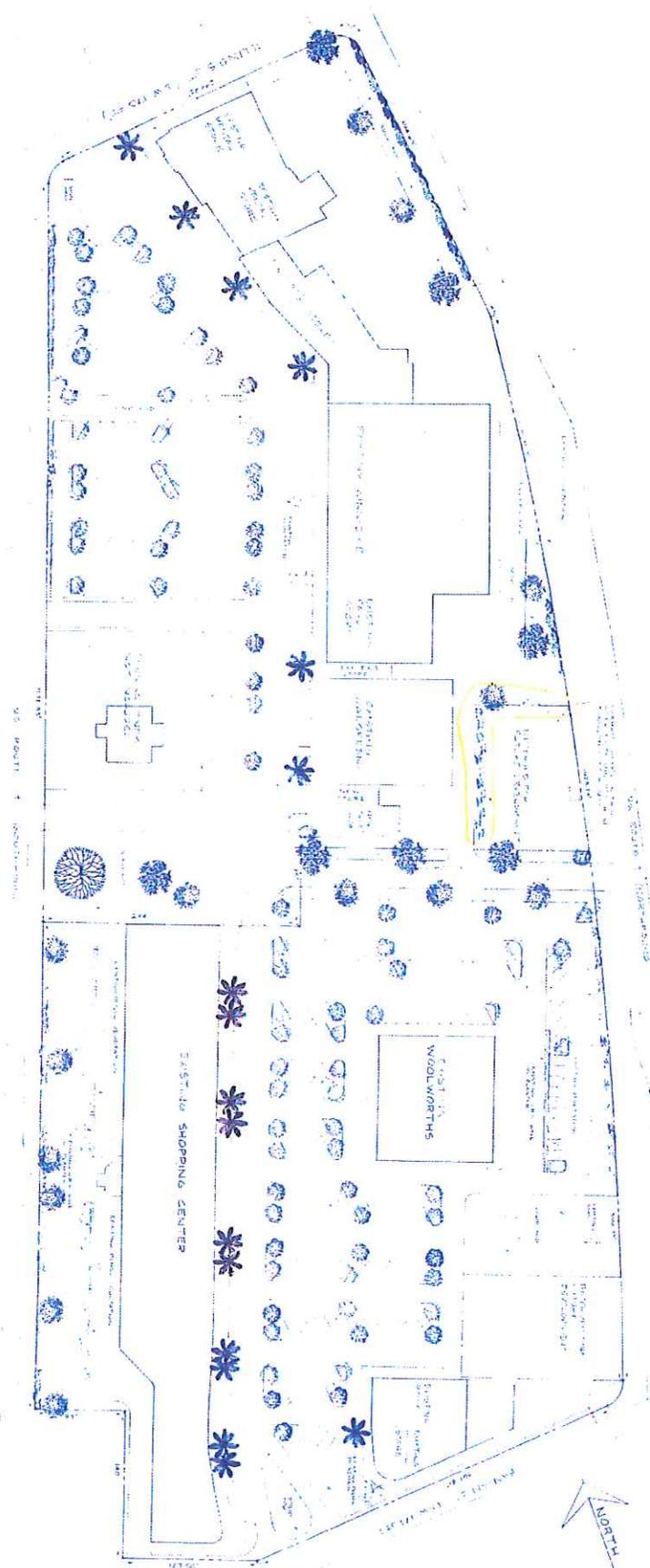
C. Frank
Swilling

69-3-61 4-ZAB-182-69

Chairman Lee: We have a motion on the floor by Mrs. Salley for denial of the application, seconded by Mr. Adams. Discussion on the motion? Those opposed signify by raising their right hand. (Mr. Wood raises his hand.) Motion carries

- LEGEND**
-  BLACK OLIVE
 -  MANDORANI
 -  HERITAGE LIVE OAK
 -  PALM
 -  COCOS PALM
 -  PALM
 -  STARBURST
 -  PALM

LANDSCAPING PLAN



NOTES

PERMITTED
 12/11/2011
 1550 MADRUGA, CORAL GABLES, FL 33134
 TEL: 305.442.1111
 FAX: 305.442.1112
 WWW.RJSKRIP.COM

Jan 17 1980

32/33-55-40/79-650

RESOLUTION NO. 4-ZAB-51-80

The following resolution was offered by Mr. Murray Sisselman, seconded by Mr. Jose A. Losa, and upon poll of members present, the vote was as follows:

Thelma Danewood	absent	Margaret C. Nelson	aye
Jose A. Losa	aye	Betty S. Page	absent
Lillian Dickmon	aye	Murray Sisselman	aye
R. Jollivette Frazier	aye	Edward G. Coll, Jr.	aye
Peter Goldring	aye		

WHEREAS, LASH, INC. d/b/a/ PERRINE PUB has applied for the following:

- (1) SPECIAL EXCEPTION to permit the maintenance and continued use of, and the proposed expansion of an existing bar into an adjoining store unit.
- (2) SPECIAL EXCEPTION TO SPACING REQUIREMENTS as applied to alcoholic beverages to permit the above bar spaced less than the required 1500' from other existing alcoholic beverage uses.

Plans are on file and may be examined in the Zoning Department entitled "Alterations and Revisions to Perrine Plaza Shopping Center" prepared by Richard J. Skripp, Architect, and dated 9-18-78, last revised 10-10-78.

SUBJECT PROPERTY: Tract 5, PERRINE CENTER, Plat book 57, Page 100, more particularly described as a 3 bay store unit, further identified as 600, 606 and 610 Perrine Avenue.

LOCATION: 600, 606 and 610 Perrine Avenue, Dade County, Florida.

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested special exceptions would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the requested special exceptions be and the same are hereby approved, subject to the following conditions:

- 1. That a floor plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things, but not be limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
- 2. That the use be established and maintained in accordance with the approved plan.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department, and to issue all permits in accordance with the terms and conditions of this Resolution.

PASSED AND ADOPTED this 17th day of January, 1980.

Heard 1/17/80
No. 80-1-54
nc

January 31, 1980

Lash, Inc. d/b/a Perrine Pub
600 Perrine Avenue
Miami, Florida 33157

Re: Hearing No. 80-1-54; Section 32/33-55-40
Requested Special Exceptions

Gentlemen:

Enclosed herewith is a copy of Resolution No. 4-ZAB-51-80, adopted by the Metropolitan Dade County Zoning Appeals Board, approving your application concerning the above subject matter.

Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required. The required floor plan should be submitted to this office in triplicate for approval before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

You are hereby advised that the decision of the Zoning Appeals Board may be appealed by an aggrieved party (within 14 days) or by the Directors of the Dade County Building and Zoning Department and Planning Department (within 18 days), as is provided in Chapter 33-313 of the Code of Metropolitan Dade County, Florida; and that no permits or Certificate of Use and Occupancy can be issued until the appeal periods have expired, and only if no appeal has been filed. Application for necessary permits and/or Certificate of Use and Occupancy should be made with this Department. The deadline for an appeal by the applicant and/or an aggrieved party is February 4, 1980.

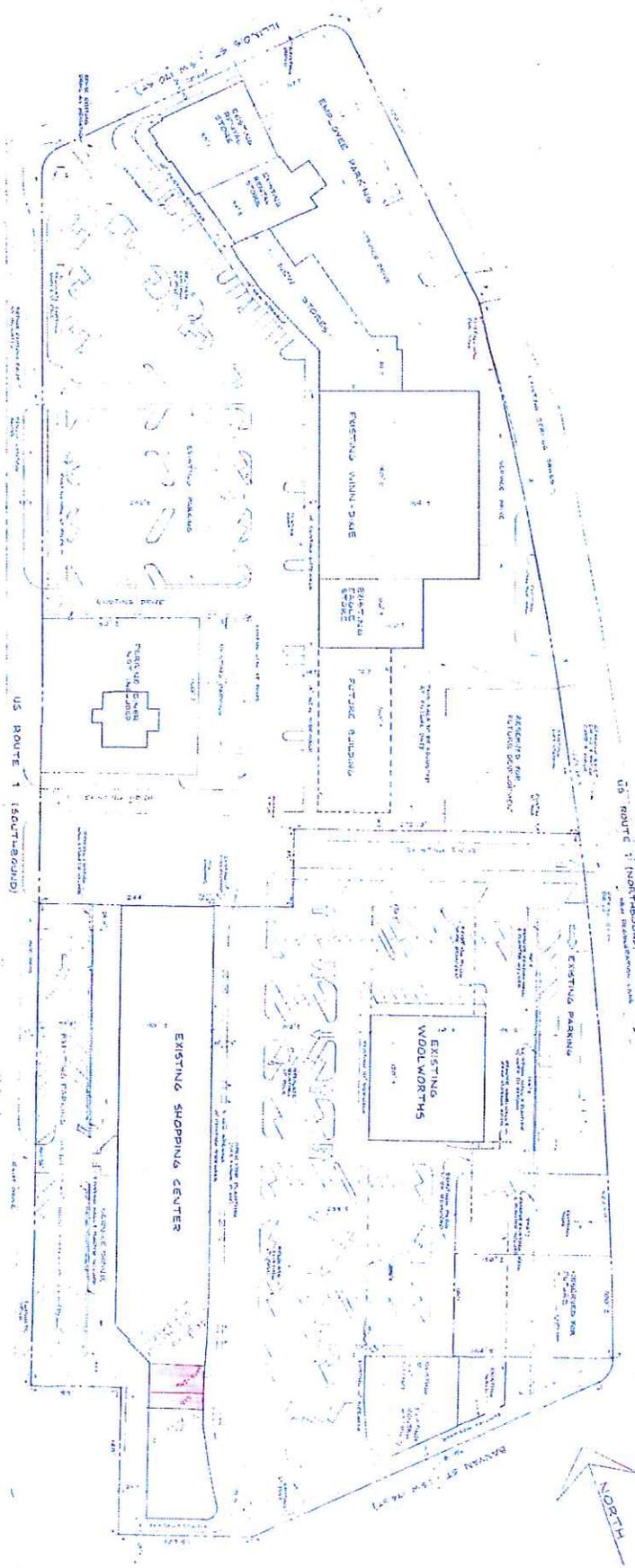
Very truly yours,

Chester C. Czebrinski
Assistant Director

CCC:nc

Enclosure

SITE PLAN



GENERAL NOTES

1. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS OF EXISTING UTILITIES AND STRUCTURES BEFORE ANY CONSTRUCTION BEGINS.
 2. ALL UTILITIES SHALL BE DEPTH MARKED PRIOR TO ANY CONSTRUCTION.
 3. ALL UTILITIES SHALL BE DEPTH MARKED PRIOR TO ANY CONSTRUCTION.

BUILDING CALCULATIONS

USE	AREA
SHOPPING CENTER	47,520
WOOLWORTHS	13,500
MINI-DOME	7,200
RESTAURANT & PUB	7,200
RETAIL STORES (EXISTING)	10,000
RETAIL STORES (FUTURE)	11,000
FUTURE PLAZA	11,000
SHOPPING CENTER (2ND FLOOR)	10,000
TOTAL BUILDING AREA(SQ FT)	141,720

PARKING CALCULATIONS

USE	AREA	REQUIRED
RETAIL AREAS	141,720	433
RESTAURANT & PUB	7,200	30
MINI-DOME	7,200	2
RETAIL STORES	10,000	521
RETAIL STORES (FUTURE)	11,000	535
TOTAL SPACES REQUIRED		1,021
TOTAL SPACES PROVIDED		1,021

LOT COVERAGE CALCULATIONS

USE	AREA	COVERAGE
PARKING PAVING & WALKS	48,000	43.0%
BUILDINGS	141,720	25.3%
LAND SLABbing	83,100	14.7%
TOTAL LOT AREA	48,000	

S-1

ALTERATIONS AND REVISIONS TO
FERRINE PLAZA SHOPPING CENTER
 DADE COUNTY, FLORIDA

RICHARD J. SKRIP, A.I.A.
 ARCHITECT AND PLANNER
 1850 MADRUGA, CORAL GABLES, FLA.

23 July 80

RESOLUTION NO. 4-ZAB-301-80

The following resolution was offered by Mrs. Lillian Dickmon seconded by Mr. Murray Sisselman and upon poll of members present, the vote was as follows:

Thelma Damewood	nay	Margaret C. Nelson	nay
Jose A. Losa	nay	Betty S. Page	absent
Lillian Dickmon	aye	Murray Sisselman	aye
R. Jollivette Frazier	aye	Edward G. Coll, Jr.	aye
Peter Goldring	absent		

WHEREAS, PERRINE PLAZA has applied for the following:

SPECIAL EXCEPTION OF SPACING REQUIREMENTS as applied to alcoholic beverage uses to permit a proposed 23' x 92' package liquor store spaced less than the required 1,500' from existing alcoholic beverage uses..

Liquor survey is on file and may be examined in the Zoning Department entitled "Liquor Survey For Walgreens Corporation" prepared by E. R. Bronwell and Associates, Inc. and dated 3-13-80. Site plan is also on file entitled "Perrine Plaza" prepared by O. Edgar Williams, Jr. and dated 4-1-80.

SUBJECT PROPERTY: PERRINE CENTER, Plat book 57, Page 100, more particularly described as a proposed 23' X 92' building to be located on the south side of an existing Eagle Store.

LOCATION: East of State Road #5 between S.W. 170 Street and S.W. 174 Street, Dade County, Florida.

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested special exception would not be compatible with the area and its development and would not conform with the requirements and intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board, that the requested special exception of spacing requirements be and the same is hereby denied without prejudice.

The Zoning Director is hereby directed to make the necessary notations upon the records of the Dade County Building and Zoning Department.

PASSED AND ADOPTED this 23rd day of July, 1980.

Heard 7/23/80
80-7-33
7/24/80
aa

July 28, 1980

Perrine Plaza
c/o O. Edgar Williams Jr.
P.O. Box 24266
Fort Lauderdale, Florida 33307

Re: Hearing No. 80-7-33 Section 33-55-40
Requested Special Exception

Gentlemen:

Enclosed herewith is a copy of Resolution No. 4-ZAB-301-80, adopted by the Metropolitan Dade County Zoning Appeals Board, denying without prejudice your application concerning the above subject matter.

If you are dissatisfied with the decision of the Zoning Appeals Board, the same may be appealed, as is provided in Chapter 33-313 of the Code of Metropolitan Dade County, Florida. The deadline for an appeal by the applicant and/or an aggrieved party is August 8, 1980.

Very truly yours,

Chester C. Czebrinski
Assistant Director

CCC:aa

Oct - 29 - 80

33-55-40
Item No. 80-449

RESOLUTION NO. 4-ZAB-420-80

The following resolution was offered by Mr. Joae A. Losa seconded by Ms. R. Jollivette Frazier and upon poll of members present, the vote was as follows:

Thelma Damewood	aye	Jose A. Losa	aye
Lillian Dickson	aye	R. Jollivette Frazier	aye
Peter Coldring	aye	Margaret C. Nelson	aye
Betty S. Page	aye	Murray Sisselman	aye
Edward G. Coll, Jr.	aye		

WHEREAS, PERRINE PLAZA has applied for the following:

SPECIAL EXCEPTION OF SPACING REQUIREMENTS as applied to alcoholic beverage uses to permit a proposed 23' X 92' package liquor store in a shopping center spaced less than the required 2500' from an existing church.

Liquor survey is on file and may be examined in the Zoning Department entitled "Liquor Survey for Walgreens Corporation", prepared by E. R. Brownell & Associates, Inc. and dated revised 8/6/80. Site plan is on file entitled "Perrine Plaza Exhibit A" prepared by Richard J. Skrip, A.I.A. and dated 5/24/79, last revised 1/15/80.

SUBJECT PROPERTY: Perrine Center, Plat Book 57, Page 100, more particularly described as a building 23' X 92', total 2116 sq. ft., located adjacent to and on the south side of Eagle Store as shown on plot plans.

LOCATION: Between northbound and southbound lanes of U.S. Route No. 1 and between SW 170 Street and SW 174 Street.

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested special exception would not be compatible with the area and its development and would not conform with the requirements and intent of the Zoning Procedure Ordinance.

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board, that the requested special exception be and the same is hereby denied without prejudice.

The Zoning Director is hereby directed to make the necessary notations upon the records of the Dade County Building and Zoning Department.

PASSED AND ADOPTED this 29 day of October, 1980.

Heard 10/29/80
Hearing No. 80-10-33
10/30/80 mo

bcc: Hearing File
Tax Assessor

October 30, 1980

Perrine Plaza
P.O.Box 570130
Miami, Florida 33157

Re: Hearing No. 80-10-33; Section 33-55-40
Requested: Special Exception

Gentlemen:

Enclosed herewith is a copy of Resolution No. 4-ZAB-420-80, adopted by the Metropolitan Dade County Zoning Appeals Board, denying your application concerning the above subject matter.

If you are dissatisfied with the decision of the Zoning Appeals Board, the same may be appealed, as is provided in Chapter 33-313 of the Code of Metropolitan Dade County, Florida. The deadline for an appeal by the applicant and/or an aggrieved party is November 14, 1980.

Very truly yours,

Chester C. Czebrinski
Assistant Director

CCC:mo

Enclosure

November 18, 1980

Honorable Robert L. Floyd
Floyd Pearson Stewart Richman Greer & Weil
One Biscayne Tower
Twenty-fifth Floor
Miami, Florida 33131

Re: Hearing No. 80-10-33; Section 33-55-40
Requested: Special Exception

Dear Bob:

This will acknowledge receipt of your letter of November 6, 1980 in reference to the subject matter. I have checked the matter with the Court Reporter and find that the vote indicated in the resolution is correct. The Court Reporter explained that the original motion was made to approve the application and it failed on a vote of 4 to 5. The Chairman then entertained a motion for the denial of the application and the vote on this motion was 9 to 0 as indicated in Resolution 4-ZAB-420-80.

I hope this explains the matter to your satisfaction.

Best wishes.

Yours very truly,

Chester C. Czebrinski
Assistant Director

CC:mo

cc: Mr. Richard Breder
Mr. Edgar Williams, Jr. Esq.

Corrected Copy

12/15/80

33-55-40/80-449

RESOLUTION NO. Z-294-80

The following resolution was offered by Commissioner Clara Oesterle, seconded by Commissioner Beverly B. Phillips, and upon poll of members present the vote was as follows:

Barbara M. Carey	absent	Harvey Ruvin	absent
Clara Oesterle	aye	Barry D. Schreiber	absent
William G. Oliver	aye	Ruth Shack	aye
Beverly B. Phillips	aye	Stephen P. Clark	absent
James F. Redford, Jr.	aye		

WHEREAS, PERRINE PLAZA has applied for the following:

SPECIAL EXCEPTION OF SPACING REQUIREMENTS as applied to alcoholic beverage uses to permit a proposed 23' X 92' package liquor store in a shopping center spaced less than the required 2500' from an existing church.

Liquor survey is on file and may be examined in the Zoning Department entitled "Liquor Survey for Walgreens Corporation", prepared by E. R. Brownell & Associates, Inc. and dated revised 8/6/80. Site plan is on file entitled "Perrine Plaza Exhibit A" prepared by Richard J. Skrip, A.I.A. and dated 5/24/79, last revised 1/15/80.

SUBJECT PROPERTY: Perrine Center, Plat Book 57, Page 100, more particularly described as a building 23' X 92', total 2116 sq. ft., located adjacent to and on the south side of Eagle Store as shown on plot plans.

LOCATION: Between northbound and southbound lanes of U.S. Route No. 1 and between SW 170 Street and SW 174 Street, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and upon due and proper consideration having been given to the matter, it was the opinion of the Zoning Appeals Board that the requested special exception would not be compatible with the area and its development and would not conform with the requirements and intent of the Zoning Procedure Ordinance and denied the requests without prejudice, and

WHEREAS, Perrine Plaza, the applicant, appealed the decision of the Zoning Appeals Board to this Board, and after a 15-day notice of the time and place of the meeting of this Board was published as required by the Zoning Procedure Ordinance a hearing was held by this Board, and after reviewing the record and decision of the Zoning Appeals Board and after having given an opportunity for interested parties to be heard, it was the opinion of this Board that the grounds and reasons specified for the reversal of the ruling made by the Zoning Appeals Board were sufficient to merit a reversal of the decision;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the decision of the Zoning Appeals Board be and the same is hereby overruled and the requested application be and the same is hereby ap-

proved, subject to the following conditions:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things, but not be limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing, entitled, "Perrine Plaza Exhibit A" prepared by Richard J. Skrip, A.I.A. and dated 5/24/79, last revised 1/15/80.
3. That a recordable agreement be submitted to meet with the approval of the Zoning Director, from the tenant and/or the property owner, to assure an orderly and quiet operation, and if the operation becomes a police enforcent problem, the permit shall be cancelled.
4. That the Certificate of Use and Occupancy be automatically renewable annually by the Dade County Building and Zoning Department upon compliance with all terms and conditions, and be subject to cancellation by the Zoning Director upon violation of any of the conditions, or when in the opinion of the Metropolitan Dade County Zoning Appeals Board, after public hearing, it is determined that the use is detrimental and/or incompatible to the surrounding neighborhood.
5. That the use be established and maintained in accordance with the approved plan.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department, and to issue all permits in accordance with the terms and conditions of this Resolution.

PASSED AND ADOPTED this 4th day of December, 1980.

Heard October, 1980
No. 80-10-33
vp
12/11/80

DADE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS
Richard P. Brinker, Clerk

By _____
Deputy Clerk

This resolution transmitted to the Clerk of the Board of County Commissioners on the 15th day of December, 1980.

December 19, 1980

Perrine Plaza
P. O. Box 570130
Miami, Florida - 33157

Re: Hearing No. 80-10-33; Between Northbound and Southbound lanes of
US Route #1 and between SW 170th Street and SW 174th Street

Gentlemen:

Enclosed, herewith, is a copy of Resolution No. Z-294-80, adopted by the Board of County Commissioners, which overruled the decision of the Zoning Appeals Board and approved your requested special exception of spacing requirements to permit a proposed package liquor store in a shopping center on the above-described property, subject to conditions.

Please note the conditions under which said approval was granted, inasmuch as strict compliance, therewith, will be required.

You are, hereby, advised that the decision of the Dade County Commission may be appealed by an aggrieved party within 30 days of the date of the submittal of the resolution to the Clerk of the County Commission. You are, further, advised that in the event that a petition for writ of certiorari is timely filed in the Circuit Court, any building permit sought or obtained shall be solely at the risk of the party obtaining said permit.

Very truly yours,

Chester C. Czebrinski
Assistant Director

CCC/vp

Enclosures

9/23/81

RESOLUTION NO. 4-ZAB-315-81

The following resolution was offered by Mrs. Thelma Damewood seconded by Mr. Jose A. Losa and upon poll of members present, the vote was as follows:

Thelma Damewood	aye	Miller J. Dawkins	absent
Lillian Dickmon	aye	R. Jolivet Frazier	aye
Peter Coldring	aye	Jose A. Losa	aye
Margaret C. Nelson	absent	Murray Sisselman	absent
Edward G. Coll, Jr.	aye		

WHEREAS, PERRINE PLAZA has applied for the following:

MODIFICATION of plans approved pursuant to Resolution #7257 passed and adopted by the Board of County Commissioners on the third day of August, 1954 only as it applies to that portion of the property indicated on the plan submitted for hearing; said property identified as "Reserved for Future Development" consisting of an irregular-shaped parcel 90+ x 140+ located on the northerly side of an existing drive perpendicular to the northbound route of U.S. 1 approximately 5,250+ north of SW 174 Street (Banyan Street)

FROM: "Plan identified as 'Tentative Plat-Perrine Central Business District' prepared by Schuler-Davenport, Inc., Land Surveyors, revised dated May 5, 1954."

TO: "Plan identified as 'Taco Viva/New Stores Alterations and Revisions to Perrine-Plaza Shopping Center' as prepared by Richard J. Skrip, A.I.A., Architect and Planner dated April 18, 1978, last revised dated July 16, 1981 consisting of two pages, a site plan and a landscape plan."

Purpose of the request is to waive the required screening wall along the east side of the abovementioned out-parcel (a 140' strip along the northbound lane of South Dixie Highway) and to provide a 3' high hedge along the north and west boundaries of that parcel.

The abovementioned plan submitted for hearing is on file and may be examined in the Zoning Department.

SUBJECT PROPERTY: PERRINE CENTER, Plat book 57, Page 100, Section 33, Township 55 South, Range 40 East.

LOCATION: Between northbound and southbound lanes of U.S. 1 (Florida State Road #5) and between S.W. 170 Street (Illinois Street) and S.W. 174 Street (Banyan Street), Dade County, Florida.

SIZE OF PROPERTY: 15 acres

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested modification to the plans approved by Resolution #7257 of August 3, 1954 would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance.

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board, that the requested modification to the plans approved by Resolution #7257 be and the same is hereby approved subject to the following conditions:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things, but not be limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Taco Vive/New Stores - Revisions to Ferrine-Plaza Shopping Center", as prepared by Richard J. Skrip, A.I.A., Architect and Planner; and dated 9-13-78, last revised dated 7-16-81, consisting of two pages, a site plan and a landscape plan.
3. That the applicant submit to the Planning Department for its review and approval a landscaping plan which indicates the type of plant material and size prior to the issuance of a building permit and to be installed prior to issuance of a certificate of occupancy.
4. That the use be established and maintained in accordance with the approved plan.
5. All the conditions of previous resolutions remaining in full force and effect except as herein modified.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits according to the conditions of this resolution.

PASSED AND ADOPTED this 23rd day of September, 1981.

Heard 9/23/81
Hearing No. 81-9-34
9/28/81
mo

September 28, 1981

Perrine Plaza
c/o Richard Breeder
P.O. Box 570130
Miami, FL 33157

Re: Hearing No.81-9-23; Section 33-55-40
Requested: Modification to the Plans approved by Resolution #7257 of
August 3, 1954.

Gentlemen:

Enclosed herewith is a copy of Resolution No. 4-ZAB-315-81, adopted by the Metropolitan Dade County Zoning Appeals Board, approving your application concerning the above subject matter.

Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required. The required plot use plan should be submitted to this office in triplicate before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

You are hereby advised that the decision of the Zoning Appeals Board may be appealed by an aggrieved party (within 14 days) or by the Directors of the Dade County Building and Zoning Department and Planning Department (within 18 days), as is provided in Chapter 33-313 of the Code of Metropolitan Dade County, Florida; and that no permits can be issued until the appeal periods have expired, and only if no appeal has been filed. Application for necessary permits should be made with this Department. The deadline for an appeal by the applicant and/or an aggrieved party is October 9, 1981.

Very truly yours,

Chester C. Czebrinski
Assistant Director

CCC:mo

Enclosure

Taco Viva, Perrine Plaza / Follow up



540 Perrine Ave Completed

Oct 10-83

33-55-40/83-423

RESOLUTION NO. 4-ZAB-360-83

The following resolution was offered by Mrs. Mary Jean Risi seconded by Mr. Jose A. Losa and upon poll of members present, the vote was as follows:

Thomas A. Conger	absent	Margaret Nelson	aye
Peter Goldring	absent	Mary Jean Risi	aye
Levi A. Johnson	absent	Murray Sisselman	aye
Jose A. Losa	aye	R. Jollivette Frazier	aye
Joyce Masso	absent		

WHEREAS, WESTMINSTER CHRISTIAN PRIVATE SCHOOL, INC. has applied for the following:

USE VARIANCE to permit the sale of used merchandise in the BU-2 zone as would be permitted in the BU-3 zone.

A 37.5' X 90' store unit within the Perrine Plaza Shopping Center more particularly described as follows: PERRINE CENTER, Plat book 57, Page 100 in Section 33, Township 55 South, Range 40 East.

LOCATION: 17228 Perrine Plaza, Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested use variance would be in harmony with the general purpose and intent of the regulations, would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board, that the requested Use Variance to permit the sale of used merchandise in the BU-2 zone as would be permitted in the BU-3 zone be and the same are hereby approved subject to the following conditions:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things, but not be limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing.
3. That the use be established and maintained in accordance with the approved plan.
4. That the certificate of use and occupancy be automatically renewable annually by the Dade County Building and Zoning Department upon compliance with all terms and conditions, and be subject to cancellation upon violation of any of the conditions, or when in the opinion of the Metropolitan Dade County Zoning Appeals Board, after public hearing, it is determined that the use is detrimental and/or incompatible to the surrounding neighborhood.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 12th day of October, 1983

Heard: 10/12/83
Hearing No. 83-10-23
10/17/83 aa

October 18, 1983

Westminster Christian Private School
c/o Jerry L. Mann
6855 S.W. 152 St.
Miami, Florida 33157

Re: Hearing No. 83-10-23; Section 33-55-40
Requested: Use Variance
Location: 17228 Perrine Plaza

Dear Mr. Mann:

Enclosed herewith is a copy of Resolution No. 4-ZAB-360-83, adopted by the Metropolitan Dade County Zoning Appeals Board, approving your application concerning the above subject matter.

Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required. If there are any anticipated changes from the plan submitted for the hearing a plot use plan should be submitted to this office in triplicate before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

It is necessary that you apply for a Certificate of Use and Occupancy at the Zoning Information Counter of the Building and Zoning Department in order to meet the requirements of the approved Resolution. It is then automatically renewable annually by this Department.

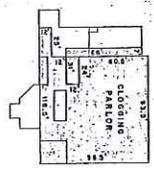
You are hereby advised that the decision of the Zoning Appeals Board may be appealed by an aggrieved party (within 14 days) or by the Directors of the Dade County Building and Zoning Department and Planning Department (within 18 days); as is provided in Chapter 33-313 of the Code of Metropolitan Dade County, Florida; and that no permits or Certificates of Use and Occupancy can be issued until the appeal periods have expired, and only if no appeal has been filed. Application for necessary permits and/or Certificate of Use and Occupancy permits should be made with this Department. The deadline for an appeal by the applicant and/or an aggrieved party is Friday, October 28, 1983.

Very truly yours,

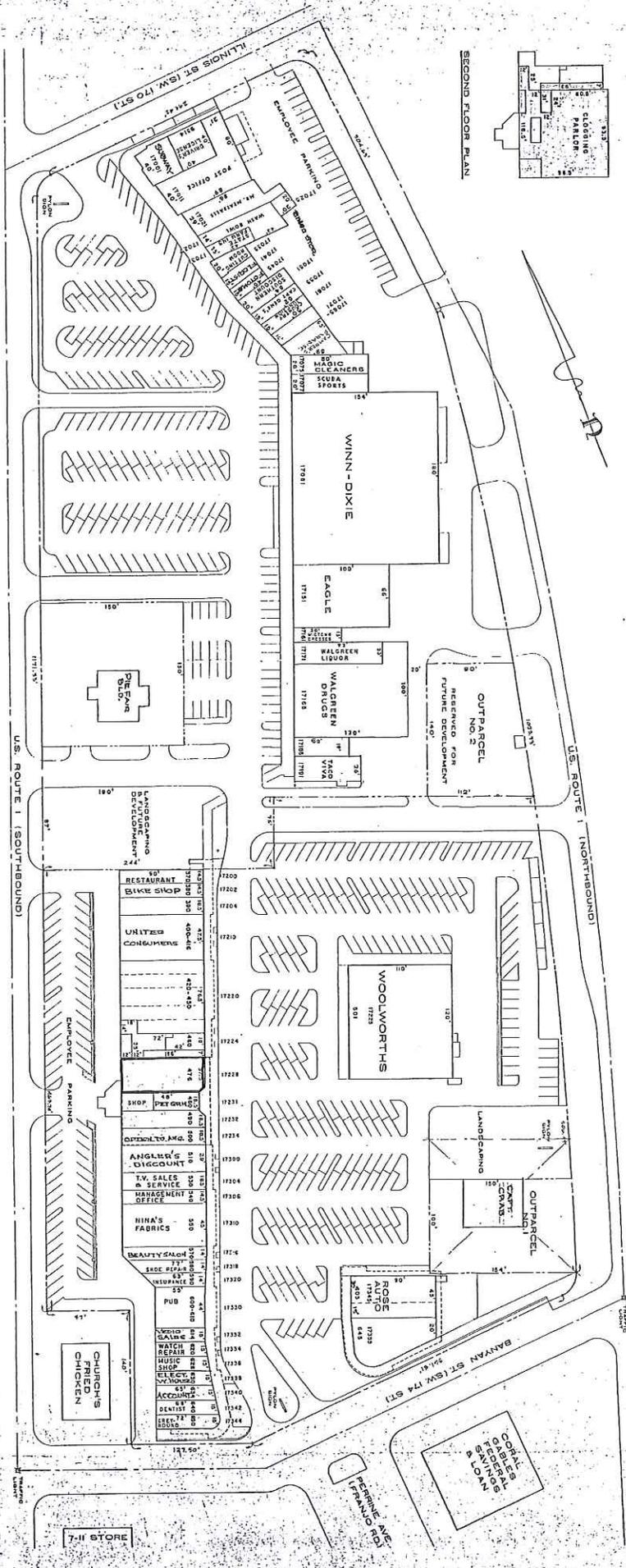
Chester C. Czebrinski
Assistant Director

CCC:aa

Enclosure



SECOND FLOOR PLAN



perrine plaza exhibit a

NOTE:
THE SCALE OF THIS DRAWING AND ALL FIGURES ARE APPROXIMATE. THIS DRAWING, ALTERATIONS AND ADDITIONS AS THE ARCHITECT, ENGINEERS, SPONSOR AND ZONING BOARD OR GOVERNMENT AUTHORITIES MAY DIRECT.

PERKINS
ARCHITECTS
INCORPORATED
1111 N. W. 10th St.
MIAMI, FL 33136
TEL: 850-344-1111

REV. 8/1/81
SCALE: 1/8" = 1'-0"
DATE: 5/15/81
BY: JMB

23 July 86

32/33-55-40/86-213

RESOLUTION NO. 4-ZAB-285-86

The following resolution was offered by Mrs. Joyce Masso seconded by Mr.

Thomas A. Conger and upon poll of members present, the vote was as follows:

Thomas A. Conger	aye	Margaret C. Nelson	nay
Peter Goldring	absent	Mary Jean Risi	absent
Levi A. Johnson	aye	Murray Sisselman	absent
Jose A. Losa	aye	R. Jollivette Frazier	aye
Joyce Masso	aye		

WHEREAS, NATIONAL CAR CARE, INC. has applied for the following:

NON-USE VARIANCE OF ZONING REGULATIONS requiring all uses to be within an enclosed building, to waive same, to permit the maintenance and continued use of a car cleaning service under a canopy.

Plans are on file and may be examined in the Zoning Department entitled "National Car Care" as prepared by Herval West and dated received Apr. 29, 1986.

SUBJECT PROPERTY: Tracts 1 - 6 inclusive, PERRINE CENTER, Plat book 57, Page 100, formerly known as:

Resubdivision of Lots 2, 3, & 4, Block 32, MAP OF PERRINE, Plat book B, Page 79 lying in the NE 1/4 of Section 32, Township 55 South, Range 40 East. AND: resubdivision of portion of Tract "A", CHAFER'S ACRES, Plat book 39, Page 72, and a subdivision of portion of the SW 1/4 of the NW 1/4 of the NW 1/4 and the north 1/2 of the NW 1/4 lying in the NW 1/4 of Section 33, Township 55 South, Range 40 East.

LOCATION: 17025 Perrine Plaza, Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter it is the opinion of the Board that the requested non-use variance would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board, that the requested non-use variance of zoning regulations be and the same is hereby approved, subject to the following condition:

That all illegal signs be abated: to wit; sandwich board signs.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 23rd day of JULY, 1986.

Heard
Hearing No. 86-7-51
Typed 9/4/86 aa

September 15, 1986

National Car Care, Inc.
c/o H. West, Pres.
P.O. Box 971247
Miami, Fl. 33157

Re: Hearing No. 86-7-51

Dear Mr. West:

Enclosed herewith is a copy of Resolution No. 4-ZAB-285-86, adopted by the Metropolitan Dade County Zoning Appeals Board, approving your application.

Please note the condition under which said approval was granted, inasmuch as strict compliance therewith will be required.

Very truly yours,

Chester C. Czebrinski
Assistant Director

CCC:aa

Enclosure

bcc: Enforcement Division

11-16-88

32-55-40/88-576

RESOLUTION NO. 4-ZAB-494-88

The following resolution was offered by Thomas A. Conger seconded by Gonzalo Sanchez and upon poll of members present, the vote was as follows:

Thomas A. Conger	aye	Gonzalo (Guy) Sanchez	aye
R. Jollivette Frazier	absent	Kenneth Welt	aye
Levi A. Johnson	aye	Georgia A. Wright	aye
Joyce Masso	absent	Murray Sisselman	absent
Mary Jean Risi	aye		

WHEREAS, (ENNISKILLEN, INC.) had applied for the following:

NON-USE VARIANCE OF ZONING REGULATIONS limiting the sale of alcoholic beverages for consumption on premises in a bar to a 1:00 a.m. closing hour; to vary same to permit a closing hour weekdays and Sunday at 4:50 a.m.

SUBJECT PROPERTY: Tract 5, PERRINE CENTER, Plat book 57, Page 100, more particularly described as a 3 bay store unit, further identified as 600, 606 and 610 Perrine Avenue.

LOCATION: 17330 Perrine Avenue, A.K.A. 600, 606 and 610 Perrine Avenue, Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested non-use variance would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the requested non-use variance of zoning regulations be and the same is hereby approved.

The Zoning Director is hereby directed to make the necessary changes and notations upon the maps and records of the Dade County Building and Zoning Department.

PASSED AND ADOPTED this 16th day of NOVEMBER, 1988.

Hearing No. 88-11-35
Typed 11/21/88 bn

METROPOLITAN DADE COUNTY, FLORIDA



METRO-DADE CENTER

BUILDING & ZONING DEPARTMENT
METRO-DADE CENTER
111 N.W. FIRST STREET
SUITE 1010
MIAMI, FLORIDA 33128-1974
(305) 375-2500

November 28, 1988

Enniskillen, Inc.
17330 Perrine Avenue
Miami, FL 33157

Re: Hearing No: 88-11-35
Location: 17330 Perrine Avenue, A.K.A. 600, 606 and 610 Perrine Avenue

Gentlemen:

Enclosed herewith is a copy of Resolution No. 4-ZAB-494-88, adopted by the Metropolitan Dade County Zoning Appeals Board, approving your application on the above-described property.

You are hereby advised that the decision of the Zoning Appeals Board may be appealed by an aggrieved party (within 14 days) or by the Directors of the Dade County Building and Zoning Department and Planning Department (within 18 days), as is provided in Chapter 33-313 of the Code of Metropolitan Dade County, Florida; and that no permits or Certificates of Use and Occupancy can be issued until the appeal periods have expired, and only if no appeal has been filed. Application for necessary permits and/or Certificate of Use and Occupancy permits should be made with this Department.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Chester C. Czebrinski".

Chester C. Czebrinski
Assistant Director

CCC/bn
Enclosures

RESOLUTION NO. 4-ZAB-205-92

The following resolution was offered by William Losner seconded by Scott Notowitz and upon poll of members present, the vote was as follows:

Humberto Amaro	aye	William Losner	aye
Mavel Cruz	aye	Scott Notowitz	aye
Shelly Gassner	absent	Johnny Williams	aye
Colleen Griffin	absent	Dean Oddy	aye
Angela P. Lannes	aye		

WHEREAS, ENNISKILLEN, INC. had applied for the following:

NON-USE VARIANCE OF ZONING REGULATIONS to permit live entertainment in conjunction with an existing cocktail lounge (not permitted).

A plan is on file and may be examined in the Zoning Department entitled "Site Plan," as prepared by Perrine Plaza Partnership and "Floor Plan," as prepared by the applicant. Both sheets are dated stamped received 12-30-91. Plans may be modified at public hearing.

SUBJECT PROPERTY: Tract 5, PERRINE CENTER, Plat book 57, Page 100 more particularly described as 3 bay store unit, further identified as 600, 606 and 610 Perrine Avenue.

LOCATION: 17330 Perrine Avenue, Dade County, Florida, and

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested non-use variance would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the application be and the same is hereby approved, subject to the following conditions:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things but not be limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Site Plan," as prepared by Perrine Plaza Partnership and "Floor Plan," as prepared by the applicant. Both sheets are dated stamped received 12-30-91.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants comply with all conditions and requirements of the Department of Environmental Resources Management, including obtaining operating permits, if applicable, within a year of the date of adoption of this resolution (on or before the 10th day of June, 1993).
5. That a fully executed affidavit be submitted to the Department prior to further Certificate of Use and Occupancy issuance stating that the subject cocktail lounge use complies with Ordinance No. 91-112 of Metropolitan Dade County and is not an adult entertainment establishment.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 10th day of June, 1992.

Hearing No. 92-6-16
Typed 6/15/92 bn



METRO-DADE CENTER

BUILDING & ZONING DEPARTMENT
METRO-DADE CENTER
111 N.W. FIRST STREET
SUITE 1010
MIAMI, FLORIDA 33128-1974
(305) 375-2500

June 16, 1992

Enniskillen, Inc.
17330 Perrine Avenue
Miami, FL 33157

Re: Hearing No: 92-6-16
Location: 17330 Perrine Avenue

Gentlemen:

Enclosed herewith is a copy of Resolution No. 4-ZAB-205-92, adopted by the Metropolitan Dade County Zoning Appeals Board, approving your application on the above-described property. Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required.

Once the use has been established, failure to maintain compliance with any of the required conditions will result in the immediate issuance of a civil violation notice for each condition violated. Each ticket issued will require payment of a daily monetary fine in the amount of \$500.00.

If there are any anticipated changes from the plan submitted for the hearing, a plot use plan should be submitted to this office in triplicate before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

You are hereby advised that the decision of the Zoning Appeals Board may be appealed by an aggrieved party within 14 days (June 29, 1992) or by the Directors of the Dade County Building and Zoning Department and Planning Department within 18 days (July 3, 1992), as is provided in Chapter 33-313 of the Code of Metropolitan Dade County, Florida; and that no permits or Certificates of Use and Occupancy can be issued until the appeal periods have expired, and only if no appeal has been filed. Application for necessary permits and/or Certificate of Use and Occupancy permits should be made with this Department.

Very truly yours,

A handwritten signature in cursive script that reads "Chester C. Czebrinski".
Chester C. Czebrinski
Legal Counsel

CCC/bn
Enclosures

cc: Department of Environmental Resources Mgmt.
Enforcement

RESOLUTION NO. Z-64-96

ms 9 1996

WHEREAS, GRAVINA DEVELOPERS LTD. PARTNERSHIP had applied for the following:

- (1) A DISTRICT BOUNDARY CHANGED from BU-2 (Business-Special) to BU-3 (Business-Liberal).
- (2) SPECIAL EXCEPTION to permit site plan approval of a commercial development; to wit: a used car agency.
- (3) NON-USE VARIANCE OF SIGN REGULATIONS to permit 3 detached signs (2 detached signs permitted).
- (4) NON-USE VARIANCE OF SIGN REGULATIONS requiring directional signs to be a maximum of 3 sq. ft. and a maximum of 4' high; to waive same to permit directional signs varying from 3.85 sq. ft. to 8.8 sq. ft. in size and varying from 5'2" to 24' in height.

Plans are on file and may be examined in the Zoning Department entitled "Auto Nation," as prepared by E.D.S.A. & B & A Architects, dated stamped received 3/8/96 and consisting of 17 sheets; also "Auto Nation U.S.A.," as prepared by Chandler Signs, Inc., dated stamped received 4/10/96. Plans may be modified at public hearing.

SUBJECT PROPERTY: PERRINE CENTER REPLAT, Plat book 136, Page 76.

LOCATION: Lying between North & South bound U.S. #1 between S.W. 170 Street and S.W. 174 Street, Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, at which time the applicant proffered a Declaration of Restrictions which among other things provided for the property to be developed substantially in accordance with the plans submitted entitled, "AUTONATION USA" as prepared by Edward D. Stone, Jr. and Associates and Bermello, Ajamil & Partners, Inc., dated stamped received March 8, 1996 and consisting of 17 pages and, notwithstanding the BU-3 zoning classification, limited the use on the property to a pre-owned automobile dealership, and

WHEREAS, upon due and proper consideration having been given to the matter, it was the opinion of this Board that the requested district boundary change to BU-3 (Item #1) would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Dade County, Florida, and should be approved, and that the requested special exception (Item #2), non-use variance of sign regulations (Item #3) and non-use variance of sign regulations (Item #4), on a modified basis to permit a maximum of 6 pedestrian directional signs at 3.00 square feet in size and 5.00 feet in height, 10 vehicular directional signs at 6.00 square feet in size and 5.00 feet in height and 84 lamp post directional signs at 6 square feet in size and 18-20 feet in height, would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance, and that the proffered Declaration of Restrictions should be accepted, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, a motion to accept the proffered covenant, to approve the district boundary change to BU-3, and approve the balance of the application, on a modified basis, was offered by Commissioner Alex Penelas, seconded by Commissioner Katy Sorenson, and

WHEREAS, upon a poll of the members present the vote was as follows:

James Burke	absent	Natacha S. Millan	absent
Miguel Diaz de la Portilla	aye	Dennis Moss	aye
Betty T. Ferguson	aye	Alex Penelas	aye
Maurice Ferre	absent	Pedro Reboredo	absent
Bruce Kaplan	aye	Katy Sorenson	aye
Gwen Margolis	absent	Javier Souto	aye
Chairman Arthur Teele		absent	

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Dade County, Florida, that the requested district boundary change to BU-3 (Item #1) be and the same is hereby approved and said property is hereby zoned accordingly, subject to conditions pursuant to Section 33-314(c) of the Code of Metropolitan Dade County, as follows:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things but not be limited thereto, location of building or buildings, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, landscaping, etc.
2. That the use be established and maintained in accordance with the approved plan.

BE IT FURTHER RESOLVED that the requested special exception (Item #2), non-use variance of sign regulations (Item #3) be and the same are hereby approved, and

BE IT FURTHER RESOLVED that the requested non-use variance of sign regulations (Item #4) be and the same is hereby approved on a modified basis to permit a maximum of 6 pedestrian directional signs at 3.00 square feet in size and 5.00 feet in height, 10 vehicular directional signs at 6.00 square feet in size and 5.00 feet in height and 84 lamp post directional signs at 6 square feet in size and 18-20 feet in height, and

BE IT FURTHER RESOLVED that the Items #2-#4, as approved, are subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Planning, Development and Regulation, upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Auto Nation," as prepared by E.D.S.A. & B & A Architects, dated stamped received 3/8/96 and consisting of 17 sheets; also "Auto Nation U.S.A.," as prepared by Chandler Signs, Inc., dated stamped received 4/10/96, except as herein modified.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submit to the Department of Planning, Development and Regulation for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a certificate of use and occupancy. Said plan to include perimeter trees on 50' centers adjacent to public right-of-way.
5. That all repairs and paint work be confined within an approved type structure for this type of work; plans and specifications to be approved by the Department.
6. That no stringer lights, pennants, mobile or stationary visual devices, except as permitted under point of sale sign regulations, shall be used or displayed.
7. That the use of outdoor loudspeakers shall be prohibited.
8. That the applicant obtain a Certificate of Use and Occupancy from the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
9. That the Certificate of Use and Occupancy can be revoked if violation of test drive conditions in neighborhood.

BE IT FURTHER RESOLVED that, where applicable, the following criteria shall be implemented in the development of drainage plans:

The minimum width of dry detention swales shall be 25 feet.

The minimum width of conveyance swales shall be 10 feet.

The location of either conveyance or detention swales immediately adjacent to property lines, which have a potential of flooding adjacent properties shall be avoided.

Detention swales should be distributed within the project site rather than in one unit which may force long conveyance swales or pipes.

The minimum pavement longitudinal slope should be 0.4%. The minimum cross slope should be 1%. Long cross slopes in one direction which create large accumulation of runoff must be avoided.

Infiltrometer tests and supporting drainage calculations will be required for all projects proposing dry detention and/or retention of the first 1/2 inch in green areas. Seepage tests and calculations will be required for proposing on-site retention.

BE IT FURTHER RESOLVED that, pursuant to Section 33-6 of the Code of

Metropolitan Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Dade County Department of Planning Development and Regulation and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 9th day of May, 1996.

No. 96-5-CC-1
bn



DADE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

KAY SULLIVAN

by Harvey Ruvin, Clerk
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF
COUNTY COMMISSIONERS ON THE 24TH DAY OF MAY, 1996.

STATE OF FLORIDA

COUNTY OF DADE

I, Harvey Ruvin, Clerk of the Circuit Court in and for Dade County, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-64-96, adopted by the said Board of County Commissioners at its meeting held on the 9th day of May, 1996.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 24th day of May, 1996.

KAY SULLIVAN

Harvey Ruvin, Clerk
Board of County Commissioners
Dade County, Florida

SEAL



By Mary H.
Deputy Clerk



STEPHEN P. CLARK CENTER

DEPARTMENT OF PLANNING, DEVELOPMENT AND REGULATION
111 NW 1ST STREET
SUITE 1110
MIAMI FLORIDA 33128-1974
(305) 375-2500
FAX (305) 375-2795

May 24, 1996

Gravina Developers Limited Partnership
9100 South Dadeland Boulevard, Suite 1700
Miami, FL 33156

Re: **Hearing No. 96-5-CC-1**
Location: Lying between the north and south bound lanes of U.S. 1, between SW 170 Street & SW 174 Street

Dear Applicants:

Enclosed, herewith, is a copy of Resolution No. Z-64-96, adopted by the Board of County Commissioners, which accepted your proffered covenant, approved your district boundary change to BU-3 and approved the balance of the application, on a modified basis, on the above-described property. Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith is required.

Once the use has been established, failure to maintain compliance with any of the required conditions will result in the immediate issuance of a civil violation notice for each condition violated. Each ticket issued will require payment of a daily monetary fine in the amount of \$500.00.

If there are any anticipated changes from the plan submitted for the hearing, a plot use plan should be submitted to this department in triplicate before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

It is necessary that you apply for and obtain a Certificate of Use Occupancy (Zoning Use Permit) from the Zoning Permit Section of the Dade County Department of Planning, Development and Regulation, prior to occupancy of the subject property and prior to initiating or continuing the use covered by the Zoning Hearing. This is required pursuant to Section 33-8 of the Zoning Code and may also appear as a condition of the Resolution. Payment of the Certificate of Use and Occupancy may also be subject to annual renewal by this Department. Additionally, please be advised that pursuant to Section 307 of the South Florida Building Code, construction permits must be obtained and final inspection approvals received for all construction work done or required prior to issuance of the Certificate of Use and Occupancy.

You are hereby advised that the decision of the Dade County Commission may be appealed by an aggrieved party within 30 days of the date of the transmittal of the resolution to the Clerk of the County

Gravina Developers Limited Partnership
Re: Hearing No. 96-5-CC-1
May 24, 1996
Page Two

Commission. You are further advised that in the event that an appropriate appeal is timely filed in the Circuit Court any building permit sought or obtained shall be solely at the risk of the party obtaining said permit.

Sincerely,



Marcy Gordon
Legal Counsel

MG:bn
Enclosures

cc: Clifford A. Schulman, Esquire
Greenberg, Traurig, et al
1221 Brickell Avenue
Miami, FL 33131

Enforcement

E D S A
 Electrical Design Services
 1913 E. Rowland Boulevard, Suite 110
 Fort Lauderdale, FL 33305

B&A
 Electrical, Mechanical & Plumbing, Inc.
 2000 South Broward Drive, Suite 100
 Fort Lauderdale, FL 33305

CONSULTANTS
CCI Consultants, Inc.
 2000 P.A. Central Expressway, Suite 100
 Fort Lauderdale, Florida 33304



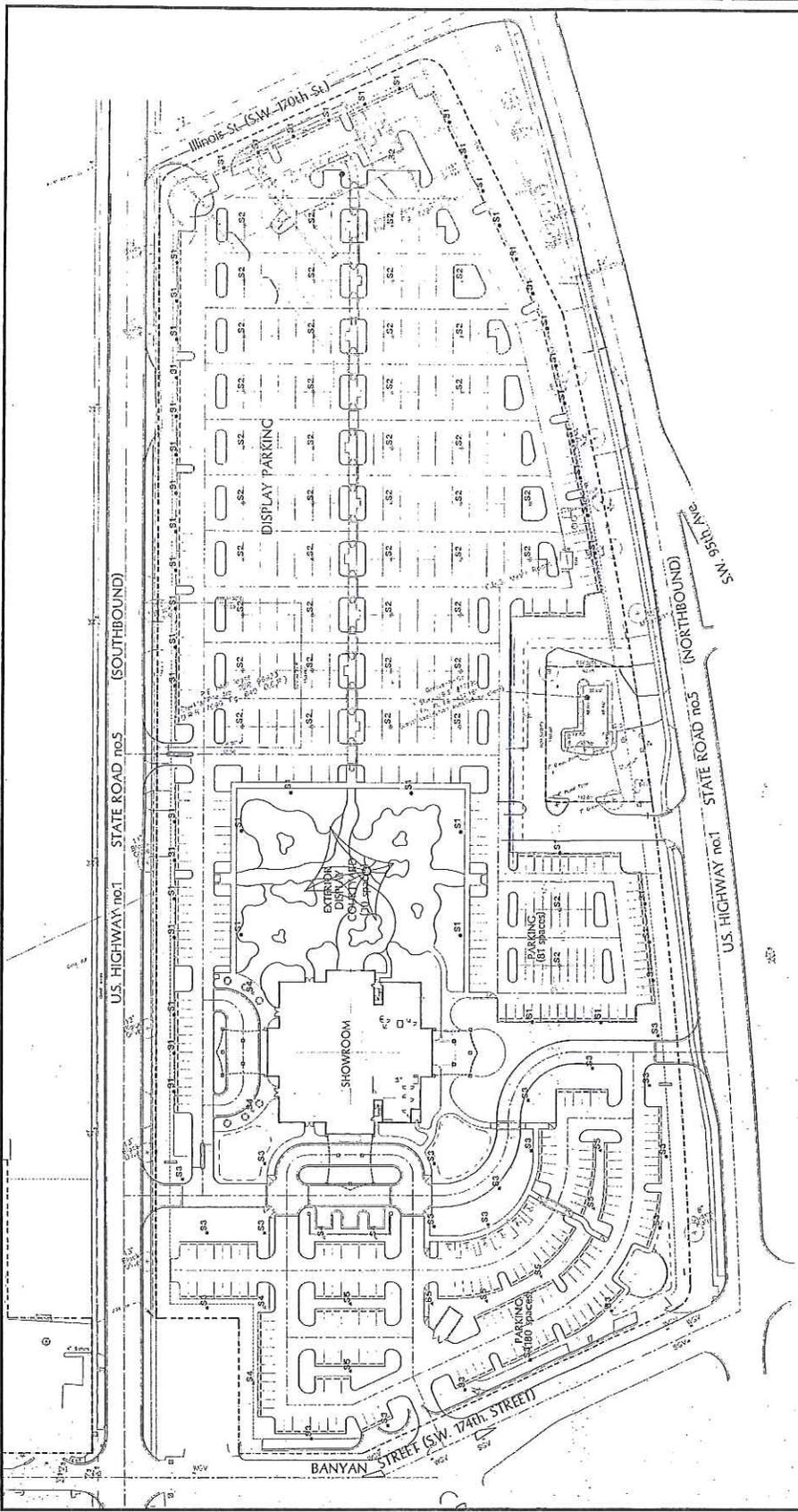
**PERRINE
 FLORIDA
 TRACT 'A'**

1	1	1	1	1	1	1	1	1	1
2	2	2	2	2	2	2	2	2	2
3	3	3	3	3	3	3	3	3	3
4	4	4	4	4	4	4	4	4	4
5	5	5	5	5	5	5	5	5	5
6	6	6	6	6	6	6	6	6	6
7	7	7	7	7	7	7	7	7	7
8	8	8	8	8	8	8	8	8	8
9	9	9	9	9	9	9	9	9	9
10	10	10	10	10	10	10	10	10	10

**LIGHTING FIXTURE
 LOCATION PLAN**

Date: 22 JAN 96
 Scale: 1" = 50'-0"
 Project No: 195746
 Drawn: J.L. Approved: JS
 (1993) (Revised D. Stone, J. and Associates, Inc.)

Sheet Number
L-1
 North



GENERAL LIGHTING NOTES:
 1. ALL LIGHTING FIXTURES (MAN) DESIGN IS REFERENCED TO THE SITE SURVEY PREPARED BY CCI CONSULTANTS, INC.
 2. LIGHTING FIXTURE LOCATION PLAN ILLUSTRATES LIGHT FIXTURE LOCATION ONLY. ALL UNDERGROUND WIRING, CONDUIT AND BUILDING PENETRATIONS SHALL BE DETERMINED PRIOR TO BUILDING PERMITS BY ELECTRICAL ENGINEER.
 3. POLES ARE TO BE DIRECT BURIAL CONCRETE. POLES AND LIGHTING SHALL CONFORM TO THE SOUTH FLORIDA BUILDING CODES AND LOCAL COUNTY ORDINANCES.

LIGHTING FIXTURE SCHEDULE

80) SPALLING LITE OR EQUIVALENT	2XLLI-FH1-M1000-IV-SC-OTC LAMP (1-3000SH) LAMP (1-3000SH) HTG. HT. 25'0"
81) SPALLING LITE OR EQUIVALENT	2XLLI-FH1-M1000-IV-SC-OTR LAMP (1-3000SH) LAMP (1-3000SH) HTG. HT. 25'
83) KPI LITE OR EQUIVALENT	1A-ETB-2B05RH-SC-A7PX-V5F-1A LAMP (1-3000SH) HTG. HT. 18'
84) KPI LITE OR EQUIVALENT	1A-ETB-2B05RH-SC-A7PX-V5F-1A LAMP (1-3000SH) HTG. HT. 18'
85) KPI LITE OR EQUIVALENT	1A-ETB-2B05RH-SC-A7PX-V5F-1A LAMP (1-3000SH) HTG. HT. 18'

Note: These Plans are for Site Plan review only.
 NOT FOR CONSTRUCTION.

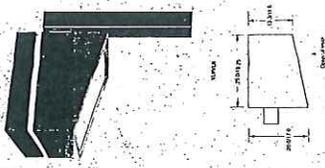
VERTILITE I & II

DESCRIPTION: Vertilite I & II are high quality, low maintenance, weather resistant, and fire resistant lighting fixtures. They are designed for use in a wide variety of applications, including parking garages, walkways, and service areas. Vertilite I is a recessed fixture, while Vertilite II is a surface mount fixture. Both fixtures are available in a variety of finishes and colors to match your building's exterior.

CONSTRUCTION MATERIALS: Vertilite I & II are constructed from high quality, die-cast aluminum. The lenses are made of clear, polycarbonate plastic. The fixtures are finished with a powder coat finish that is resistant to fading, chipping, and peeling.

INSTALLATION: Vertilite I & II are easy to install. They require a simple wiring connection to a standard 120V AC power source. The fixtures are designed to be installed in a variety of locations, including parking garages, walkways, and service areas.

MAINTENANCE: Vertilite I & II are low maintenance fixtures. They require only occasional cleaning with a soft cloth and mild detergent. The fixtures are designed to be easy to clean and maintain.



SECTOR APPLICATIONS

Vertilite I & II are ideal for use in a wide variety of applications, including parking garages, walkways, and service areas. They are designed to provide uniform, glare-free illumination in these areas. The fixtures are also suitable for use in outdoor environments, where they provide weather-resistant lighting.



NOTE: DISPLAY PARKING FIXTURES TO BE SET IN 2" RECESSED CONCRETE. POLES CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR REVIEW AND LIGHT FIXTURE ATTACHMENT.

SPALLING

CONCRETE REPAIRS TO BE SUBMITTED FOR APPROVAL BY ARCHITECT.

1

DISPLAY PARKING FIXTURE

2

KIM FLOOD FIXTURES

3

ROADWAY / GUEST, EMPLOYEE AND SERVICE PARKING FIXTURES

Kim Entablature

NOTE: SEE ALL FOR FIXTURE SPECIFICATION. NOTE ALL COLOR OF FRAME AND POLES TO BE "EMERALD GREEN". ALL OPTIONAL, EXCEPT ENTABLATURE. ALL "EMERALD GREEN" POLES TO BE SQUARE. CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR INSTALLATION AND FIXTURE REQUIREMENTS.

Kim Lighting
 10000 W. 11th Street, Suite 100
 Fort Lauderdale, FL 33324
 Phone: (954) 575-1111
 Fax: (954) 575-1112
 Website: www.kimlighting.com

Kim Entablature
 The Kim Entablature is a unique lighting fixture that is designed to provide uniform, glare-free illumination in a variety of applications. It is constructed from high quality, die-cast aluminum and is finished with a powder coat finish that is resistant to fading, chipping, and peeling. The fixture is designed to be easy to install and maintain.

Kim Entablature Dimensions
 The Kim Entablature is available in a variety of sizes and finishes. The dimensions are as follows:

Model	Height (mm)	Width (mm)
KE-100	100	100
KE-150	150	150
KE-200	200	200

Kim Entablature Installation
 The Kim Entablature is easy to install. It requires a simple wiring connection to a standard 120V AC power source. The fixture is designed to be installed in a variety of locations, including parking garages, walkways, and service areas.

Kim Entablature Maintenance
 The Kim Entablature is low maintenance. It requires only occasional cleaning with a soft cloth and mild detergent. The fixture is designed to be easy to clean and maintain.

Kim Entablature Applications
 The Kim Entablature is ideal for use in a wide variety of applications, including parking garages, walkways, and service areas. It is designed to provide uniform, glare-free illumination in these areas.

Kim Entablature Specifications
 The Kim Entablature is constructed from high quality, die-cast aluminum. The lenses are made of clear, polycarbonate plastic. The fixtures are finished with a powder coat finish that is resistant to fading, chipping, and peeling.

Kim Entablature Details
 The Kim Entablature is designed to be easy to install and maintain. It requires a simple wiring connection to a standard 120V AC power source. The fixture is designed to be installed in a variety of locations, including parking garages, walkways, and service areas.

Kim Entablature Notes
 The Kim Entablature is a unique lighting fixture that is designed to provide uniform, glare-free illumination in a variety of applications. It is constructed from high quality, die-cast aluminum and is finished with a powder coat finish that is resistant to fading, chipping, and peeling.

Kim Entablature Contact
 For more information on the Kim Entablature, please contact Kim Lighting at (954) 575-1111.

Kim Entablature Disclaimer
 The Kim Entablature is a registered trademark of Kim Lighting. All other trademarks are the property of their respective owners.

Kim Entablature Copyright
 © 1999 Kim Lighting. All rights reserved.

Kim Entablature License
 This document is a license to use the Kim Entablature for the purposes of the project described herein. It is not to be reproduced or distributed without the written consent of Kim Lighting.

Kim Entablature Warranty
 The Kim Entablature is warranted to be free from defects in material and workmanship for a period of two years from the date of installation.

Kim Entablature Return Policy
 The Kim Entablature is not eligible for a return or refund.

Kim Entablature Shipping
 The Kim Entablature is shipped via standard ground shipping.

Kim Entablature Terms and Conditions
 The Kim Entablature is sold as-is. No warranties are made. The buyer assumes all risk of damage to the fixture during installation and use.

Kim Entablature Privacy Policy
 Kim Lighting does not collect or use personal information.

Kim Entablature Security
 Kim Lighting uses secure servers to store and process data.

Kim Entablature Accessibility
 Kim Lighting's website is accessible to people with disabilities.

Kim Entablature Cookies
 Kim Lighting uses cookies to improve your experience on our website.

Kim Entablature Social Media
 Kim Lighting is active on Facebook, Twitter, and LinkedIn.

Kim Entablature Careers
 Kim Lighting is currently hiring for various positions. Visit our website for more information.

Kim Entablature Partners
 Kim Lighting is proud to be a partner with various organizations.

Kim Entablature Affiliates
 Kim Lighting has several affiliates in various markets.

Kim Entablature Franchise
 Kim Lighting is a franchise company. Visit our website for more information.

Kim Entablature Investor
 Kim Lighting is seeking investors for various projects.

Kim Entablature Advisory
 Kim Lighting provides advisory services to various clients.

Kim Entablature Consulting
 Kim Lighting provides consulting services to various clients.

Kim Entablature Research
 Kim Lighting is conducting research on various topics.

Kim Entablature Development
 Kim Lighting is developing various products and services.

Kim Entablature Marketing
 Kim Lighting is implementing various marketing strategies.

Kim Entablature Sales
 Kim Lighting is expanding its sales network.

Kim Entablature Support
 Kim Lighting provides excellent customer support.

Kim Entablature Training
 Kim Lighting provides training for its employees and partners.

Kim Entablature Compliance
 Kim Lighting is committed to compliance with all applicable laws and regulations.

Kim Entablature Ethics
 Kim Lighting is committed to ethical business practices.

Kim Entablature Sustainability
 Kim Lighting is committed to sustainability and environmental responsibility.

Kim Entablature Diversity
 Kim Lighting is committed to diversity and inclusion.

Kim Entablature Community
 Kim Lighting is committed to the communities it serves.

Kim Entablature Innovation
 Kim Lighting is committed to innovation and continuous improvement.

Kim Entablature Quality
 Kim Lighting is committed to quality and excellence in all aspects of its business.

Kim Entablature Customer
 Kim Lighting is committed to providing exceptional customer service.

Kim Entablature Supplier
 Kim Lighting is committed to building strong relationships with its suppliers.

Kim Entablature Partner
 Kim Lighting is committed to building strong relationships with its partners.

Kim Entablature Client
 Kim Lighting is committed to providing exceptional service to its clients.

Kim Entablature Stakeholder
 Kim Lighting is committed to the interests of all its stakeholders.

Kim Entablature Interest
 Kim Lighting is committed to the interests of all its stakeholders.

Kim Entablature Group
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11, 14, 2005

RESOLUTION NO. 05-94

ZONING APPLICATION 05-9-VPB1/04-96

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; DENYING THE APPLICATION OF AN DEALERSHIP HOLDING CORP. FOR A SPECIAL EXCEPTION TO MODIFY PREVIOUSLY APPROVED PLANS FOR A USED AUTOMOBILE DEALERSHIP TO INCLUDE A NEW AND USED AUTOMOBILE DEALERSHIP AND AN ACCOMPANYING REPAIR FACILITY; AND AN APPLICATION TO MODIFY THE DELCARATION OF RESTRICTIONS ASSOCIATED WITH THE PREVIOUSLY APPROVED SITE PLANS TO ALLOW FOR NEW CAR SALES AT THE SITE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant made application for a (special exception to permit the modification of previously approved plans in order to expand from simply a used automobile dealership to a new and used automobile dealership and repair facility) as described in the Miami-Dade Department of Planning and Zoning Recommendation to the Village of Palmetto Bay, which is attached to this resolution; and,

WHEREAS, the applicant also sought to modify two conditions from a previously filed declaration of restrictions tied to a prior site plan; in order to modify the restrictions to specifically provide for new car sales at the site; and

WHEREAS, the village council of the Village of Palmetto Bay conducted a quasi-judicial hearing on the application at Southwood Middle School on September 12, 2005, which was deferred and a final quasi-judicial hearing on the application was held on November 14, 2005, at Southwood Middle School, 16301 SW 80 Avenue; and,

WHEREAS, the mayor and village council finds, based on substantial competent evidence in the record, that the application is not consistent with the present and future development of the surrounding area; and,

WHEREAS, based on the foregoing finding, the mayor and village council determined to deny the application, as provided in this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. A final hearing on the present application was held on November 14, 2005, in accordance with ordinance. no. 02-03, entitled "Quasi-judicial hearing procedures." Pursuant to the hearing, the village council makes the following findings of fact, conclusions of law and order.

Section 2. Findings of fact.

1. The applicant is AN Dealership Holding Corp. The property is located at 17305 South Dixie Highway, Village of Palmetto Bay, Miami-Dade County, Florida.
2. The applicant had requested approval of the following:
 - a) SPECIAL EXCEPTIONS to permit a new car sales agency with accessory used car sales and a repair facility in connection with a previously used car agency.
 - b) MODIFICATION of Condition #2 of Resolution Z-64-96, passed and adopted by the Board of County Commissioners and reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Auto Nation,' as prepared by E.D.S.A. & B & A Architects, dated stamped received 3/8/96 and consisting of 17 sheets; also 'Auto Nation U. S. A.,' as prepared by Chandler Signs, Inc., dated stamped received 4/10/96, except as herein modified."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Maroone Nissan of Kendall,' as prepared by Pavlik Design Team,' consisting of 7 pages, dated last revised 6/17/05 and landscape plans prepared by Rosenberg Gardner Design consisting of four pages, dated last revised 6/15/05."
 - c) MODIFICATION of Paragraph I and Conditions "A" and "B" of Paragraph II of Declaration of Restrictions recorded in Official Record Book 17240 at Pages 0320 through 0328 and reading as follows:

FROM: "I. Controlling Site Plan. The Property, if developed for the purposes set forth in the Application, will be developed substantially in accordance with the plans previously submitted to Dade County, entitled 'AUTONATION USA,' as prepared by Edward D. Stone, Jr. and Associates and Bermello, Ajamil & Partners, Inc., dated stamped received March 8, 1996 and consisting of 17 pages (the 'Plans'), said Plans being on file with Dade County and by reference made a part of this Declaration."

TO: "I. Controlling Site Plan. The Property will be developed for the purposes set forth in the Application, and will be developed substantially in accordance with the plans entitled 'Maroone Nissan of Kendall,' as prepared by Pavlik Design Team,' consisting of 7 pages, dated last revised 6/17/05 and landscape plans prepared by Rosenberg Gardner Design consisting of four pages, dated last revised 6/15/05. Said plans being on file with Miami-Dade County and by reference made a part of this Declaration."

FROM: "IIA. Use Restrictions. Notwithstanding the BU-3 zoning classification of the Property, the development and use of

the Property will be limited to a pre-owned automobile dealership, including accessory uses thereto, for any and all uses permitted under, and in accordance with, the BU-2 zoning district regulations of the Dade County Code, as currently in effect or as may be amended from time to time.

TO: "IIA. Use Restrictions. Notwithstanding the BU-3 zoning classification of the property, the development and use of the property will be limited to a new and used automobile dealership with repair facility including accessory uses thereto, for any and all uses permitted under, and in accordance with, the BU-2 zoning district regulations of the Code, as currently in effect or as may be amended from time to time.

FROM: "IIB. In connection with the use of the property as a pre-owned automobile dealership, the following restrictions shall limit the use of the property:

1. No stringer lights, pennants, mobile or stationary visual devices, except as permitted under point of sale sign regulations, or as approved at public hearing, shall be used or displayed.
2. Outdoor lights for the off-street parking areas and vehicle storage areas shall be no higher than fourteen feet (14' above grade when located within twenty feet (20') of the property zoned residential.
3. No outdoor loudspeakers shall be used.
4. No vehicle test drives shall be conducted on any residential, local traffic streets."

TO: "IIB. In connection with the use of the property as a new and used automobile dealership with repair facility, the following restrictions shall limit the use of the property:

1. No stringer lights, pennants, mobile or stationary visual devices, except as permitted under point of sale sign regulations, or as approved at public hearing, shall be used or displayed.
2. Outdoor lights for the off-street parking areas and vehicle storage areas shall be no higher than fourteen feet (14') above grade when located within twenty feet (20') of the property zoned residential.
3. No outdoor loudspeakers shall be used.
4. No vehicle test drives shall be conducted on any residential, local traffic streets."

The purpose of these requests is to permit the applicant to submit revised plans showing a new & used car dealership including a new repair facility building.

3. The village council adopts certain portions of the County and Village recommendation package: the Zoning Hearings History, Comprehensive Development Master Plan (CDMP), Neighborhood Characteristics, Site and

Buildings, Pertinent Requirements/ Standards; and Neighborhood Services as its findings of fact. The village council does not adopt the remainder of the county and village memorandum.

4. The mayor and village council specifically found traffic and noise to be a problem and incompatible with the surrounding community. Additionally, the council found that the site plan did not conform to the village's Planning Charette for Frango/US 1 Commercial Island; and Comprehensive Plan as to mixed use, pedestrian access, and vegetation.

Section 3. Conclusions of law.

The village council concludes that the application for a special exception to permit the modification of previously approved site plan to now allow a new and used automobile dealership and associated repair facility is inconsistent with the Planning Charrette for the Franjo Triangle/U.S. 1 Commercial Island for the present and future development of the area.

Section 4. Order.

1. The application for a special exception to permit the modification of previously approved site plan to allow for both a new and a used automobile dealership with an associated repair facility is denied without prejudice.
2. The application to modify two conditions of the declaration of restrictions filed with the Miami-Dade County recording office, which declaration was filed in conjunction with the original site plans is denied without prejudice. The village council found that the addition of new sales to the site would be incompatible with the Franjo /US 1 Commercial Island Planning Charette and village Comprehensive Plan.
3. The application is denied on the basis that the applicant did not submit evidence to carry its burden of proof on the applications presented.
4. This is a final order.

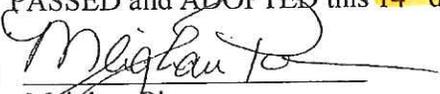
Section 5. Record.

The record shall consist of the notice of hearing, the applications, documents submitted by the applicant and the applicant's representatives to the Miami-Dade County Department of Planning and Zoning in connection with the applications, the county recommendation and attached cover sheet and documents, the testimony of sworn witnesses and documents presented at the quasi-judicial hearing, and the audio recording and minutes of the hearing. The record shall be maintained by the village clerk.

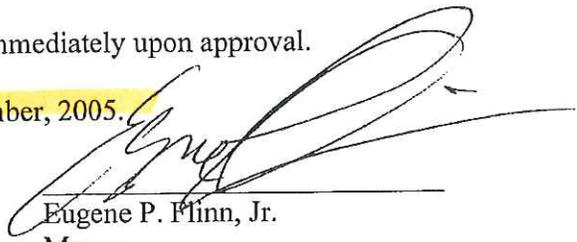
Section 6. This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 14th day of November, 2005.

Attest:

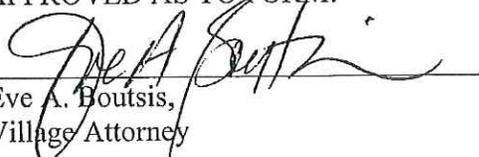


Meghan Pier
Village Clerk



Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:



Eve A. Boutsis,
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller	<u>YES</u>
Council Member Paul Neidhart	<u>NO</u>
Council Member John Breder	<u>NO</u>
Vice-Mayor Linda Robinson	<u>YES</u>
Mayor Eugene P. Flinn, Jr.	<u>YES</u>

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RESOLUTION NO. 06-19
ZONING APPLICATION 05-9-VPB1/04-96

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; APPROVING THE APPLICATION OF AN DEALERSHIP HOLDING CORP. FOR A SPECIAL EXCEPTION TO MODIFY PREVIOUSLY APPROVED PLANS FOR A USED AUTOMOBILE DEALERSHIP TO INCLUDE A NEW AND USED AUTOMOBILE DEALERSHIP AND AN ACCOMPANYING REPAIR FACILITY; AND AN APPLICATION TO MODIFY THE DELCARATION OF RESTRICTIONS ASSOCIATED WITH THE PREVIOUSLY APPROVED SITE PLANS TO ALLOW FOR NEW CAR SALES AT THE SITE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant made application for a special exception to permit the modification of previously approved plans in order to expand from simply a used automobile dealership to a new and used automobile dealership and repair facility, as described in the Miami-Dade Department of Planning and Zoning Recommendation to the Village of Palmetto Bay, which is attached to this resolution; and,

WHEREAS, the applicant also sought to modify two conditions from a previously filed declaration of restrictions tied to a prior site plan; in order to modify the restrictions to specifically provide for new car sales at the site; and

WHEREAS, the Village Council of the Village of Palmetto Bay conducted a quasi-judicial hearing on the application at Southwood Middle School, 16301 SW 80 Avenue, on September 12, 2005, which was deferred and a second hearing held on the application on November 14, 2005, at Southwood Middle School, where the application was denied, as evidenced in Resolution 05-94. On December 5, 2005, the Council adopted Resolution 05-98, allowing for re-hearing of the item, which was scheduled for February 13, 2006, at the Deering Estate Visitor's Center, 16701 SW 72 Avenue; and

WHEREAS, the Mayor and Village Council finds, based on substantial competent evidence in the record, that the application is consistent with the present and future development of the surrounding area; and,

WHEREAS, based on the foregoing finding, the Mayor and Village Council determined to approve the application, as provided in this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. A re-hearing on the present application was held on February 13, 2006, in accordance with ordinance. no. 02-03, entitled "Quasi-judicial hearing procedures." Pursuant to the hearing, the village council makes the following findings of fact, conclusions of law and order:

Section 2. Findings of fact.

1. The applicant is AN Dealership Holding Corp. The property is located at 17305 South Dixie Highway, Village of Palmetto Bay, Miami-Dade County, Florida.
2. The applicant had requested approval of the following:
 - a) SPECIAL EXCEPTIONS to permit a new car sales agency with accessory used car sales and a repair facility in connection with a previously used car agency.
 - b) MODIFICATION of Condition #2 of Resolution Z-64-96, passed and adopted by the Board of County Commissioners and reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Auto Nation,' as prepared by E.D.S.A. & B & A Architects, dated stamped received 3/8/96 and consisting of 17 sheets; also 'Auto Nation U. S. A.,' as prepared by Chandler Signs, Inc., dated stamped received 4/10/96, except as herein modified."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Maroone Nissan of Kendall,' as prepared by Pavlik Design Team,' consisting of 7 pages, dated last revised 6/17/05 and landscape plans prepared by Rosenberg Gardner Design consisting of four pages, dated last revised 6/15/05."
 - c) MODIFICATION of Paragraph I and Conditions "A" and "B" of Paragraph II of Declaration of Restrictions recorded in Official Record Book 17240 at Pages 0320 through 0328 and reading as follows:

FROM: "I. Controlling Site Plan. The Property, if developed for the purposes set forth in the Application, will be developed substantially in accordance with the plans previously submitted to Dade County, entitled 'AUTONATION USA,' as prepared by Edward D. Stone, Jr. and Associates and Bermello, Ajamil & Partners, Inc., dated stamped received March 8, 1996 and consisting of 17 pages (the 'Plans'), said Plans

being on file with Dade County and by reference made a part of this Declaration.”

TO: “I. Controlling Site Plan. The Property will be developed for the purposes set forth in the Application, and will be developed substantially in accordance with the plans entitled ‘Maroone Nissan of Kendall,’ as prepared by Pavlik Design Team,’ consisting of 7 pages, dated last revised 6/17/05 and landscape plans prepared by Rosenberg Gardner Design consisting of four pages, dated last revised 6/15/05. Said plans being on file with Miami-Dade County and by reference made a part of this Declaration.”

FROM: “IIA. Use Restrictions. Notwithstanding the BU-3 zoning classification of the Property, the development and use of the Property will be limited to a pre-owned automobile dealership, including accessory uses thereto, for any and all uses permitted under, and in accordance with, the BU-2 zoning district regulations of the Dade County Code, as currently in effect or as may be amended from time to time.

TO: “IIA. Use Restrictions. Notwithstanding the BU-3 zoning classification of the property, the development and use of the property will be limited to a new and used automobile dealership with repair facility including accessory uses thereto, for any and all uses permitted under, and in accordance with, the BU-2 zoning district regulations of the Code, as currently in effect or as may be amended from time to time.

FROM: “IIB. In connection with the use of the property as a pre-owned automobile dealership, the following restrictions shall limit the use of the property:

1. No stringer lights, pennants, mobile or stationary visual devices, except as permitted under point of sale sign regulations, or as approved at public hearing, shall be used or displayed.
2. Outdoor lights for the off-street parking areas and vehicle storage areas shall be no higher than fourteen feet (14’ above grade when located within twenty feet (20’) of the property zoned residential.
3. No outdoor loudspeakers shall be used.
4. No vehicle test drives shall be conducted on any residential, local traffic streets.”

TO: "IIB. In connection with the use of the property as a new and used automobile dealership with repair facility, the following restrictions shall limit the use of the property:

1. No stringer lights, pennants, mobile or stationary visual devices, except as permitted under point of sale sign regulations, or as approved at public hearing, shall be used or displayed.
2. Outdoor lights for the off-street parking areas and vehicle storage areas shall be no higher than fourteen feet (14') above grade when located within twenty feet (20') of the property zoned residential.
3. No outdoor loudspeakers shall be used.
4. No vehicle test drives shall be conducted on any residential, local traffic streets."

The purpose of these requests is to permit the applicant to submit revised plans showing a new & used car dealership including a new repair facility building.

3. The Village Council adopts certain portions of the County and Village recommendation package: the Zoning Hearings History, Comprehensive Development Master Plan (CDMP), Neighborhood Characteristics, Site and Buildings, Pertinent Requirements/ Standards; and Neighborhood Services as its findings of fact.

Section 3. Conclusions of law.

1. The village council adopts the portions of the county recommendation, entitled Pertinent Requirements/Standards and Analysis as its conclusions of law.
2. The village council further concludes that the application for alternative non-use variance is consistent with the CDMP and complies, with conditions, under §33-311(A)(3) and §33-311(A)(7).
3. The village council concludes that the application for a special exception to permit the modification of previously approved site plan to now allow a new and used automobile dealership and associated repair facility is consistent with the Planning Charrette for the Franjo Triangle/U.S. 1 Commercial Island for the present and future development of the area.

Section 4. Order.

1. The application for a special exception to permit the modification of previously approved site plan to allow for both a new and a used automobile dealership with an associated repair facility is granted.
2. The application to modify two conditions of the declaration of restrictions filed with the Miami-Dade County recording office, which declaration was filed in conjunction with the original site plans is granted. The village council found that the addition of new sales to the site would be compatible with the Franjo /US 1 Commercial Island Planning Charette and village Comprehensive Plan.
3. Approval of the application is subject to the following conditions:
 - a. That a site plan be submitted to and meet with the approval of the Director of the Department of Community Development upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include among other things but not be limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.;
 - b. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Maroone Nissan of Kendall," as prepared by Pavlik Design Team, consisting of seven (7) pages, dated last revised 6/17/05 and landscape plans prepared by Rosenberg Gardner Design consisting of four pages, dated last revised 6/15/05;
 - c. That the use be established and maintained in accordance with the approved plan;
 - d. That the applicant submit to the Director of the Department of Community Development for its review and approval a landscaping plan that indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
 - e. That the applicant comply with all of the requirements of the Department of Environmental Resources Management (DERM).
 - f. That the applicant comply with all of the requirements of the Public Works Department.
 - g. That sidewalk improvements along the north side of Banyan/174 Street spanning between north and south bound U.S. 1 be designed and constructed in accordance with adopted charrette area design guidelines that includes installation of light fixtures of a pedestrian scale with a maximum height of 18 feet and maximum spacing between fixtures of 40 feet; type of fixtures to be approved by the Village and said plans to be submitted and approved by the Department of Community Development;

- h. Body shop repairs shall not be performed at the facility;
 - i. For as long as the applicant owns the franchise on this site, applicant agrees to donate the use of an approximately 3,000 square foot office space at the facility by the Village during emergency conditions, such as tropical storms and/or hurricanes. Applicant agrees to make reasonable improvements and modification to effect the use of this facility and to finalize agreement with the Village Manager;
 - j. Applicant agrees to continue the operation and allow use by the general public of the restaurant/café located at the dealership;
 - k. All auto/transport delivery vehicles shall deliver vehicles to the dealership in the interior of the facility; and
 - l. Applicant agrees that it shall not seek expansion of the repair bays for a period of five (5) years.
4. This is a final order.

Section 5. Record.

The record shall consist of the notice of hearing, the applications, documents submitted by the applicant and the applicant's representatives to the Miami-Dade County Department of Planning and Zoning in connection with the applications, the county recommendation and attached cover sheet and documents, the testimony of sworn witnesses and documents presented at the quasi-judicial hearing, and the audio recording and minutes of the hearing. The record shall be maintained by the village clerk.

Section 6. This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 13th day of February, 2006.

Attest:


Meighan Pier
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:


Eve A. Boutsis,
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller YES

Council Member Paul Neidhart YES

Council Member John Breder YES

Vice-Mayor Linda Robinson NO

Mayor Eugene P. Flinn, Jr. YES

K:\Users\mpier\Resolutions\Zoning Res-AN Dealership-Denial.doc

RESOLUTION NO. 05-94

ZONING APPLICATION 05-9-VPB1/04-96

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; DENYING THE APPLICATION OF AN DEALERSHIP HOLDING CORP. FOR A SPECIAL EXCEPTION TO MODIFY PREVIOUSLY APPROVED PLANS FOR A USED AUTOMOBILE DEALERSHIP TO INCLUDE A NEW AND USED AUTOMOBILE DEALERSHIP AND AN ACCOMPANYING REPAIR FACILITY; AND AN APPLICATION TO MODIFY THE DELCARATION OF RESTRICTIONS ASSOCIATED WITH THE PREVIOUSLY APPROVED SITE PLANS TO ALLOW FOR NEW CAR SALES AT THE SITE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant made application for a special exception to permit the modification of previously approved plans in order to expand from simply a used automobile dealership to a new and used automobile dealership and repair facility, as described in the Miami-Dade Department of Planning and Zoning Recommendation to the Village of Palmetto Bay, which is attached to this resolution; and,

WHEREAS, the applicant also sought to modify two conditions from a previously filed declaration of restrictions tied to a prior site plan; in order to modify the restrictions to specifically provide for new car sales at the site; and

WHEREAS, the village council of the Village of Palmetto Bay conducted a quasi-judicial hearing on the application at Southwood Middle School on September 12, 2005, which was deferred and a final quasi-judicial hearing on the application was held on November 14, 2005, at Southwood Middle School, 16301 SW 80 Avenue; and,

WHEREAS, the mayor and village council finds, based on substantial competent evidence in the record, that the application is not consistent with the present and future development of the surrounding area; and,

WHEREAS, based on the foregoing finding, the mayor and village council determined to deny the application, as provided in this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. A final hearing on the present application was held on November 14, 2005, in accordance with ordinance. no. 02-03, entitled "Quasi-judicial hearing procedures." Pursuant to the hearing, the village council makes the following findings of fact, conclusions of law and order.

Section 2 Findings of fact.

1. The applicant is AN Dealership Holding Corp. The property is located at 17305 South Dixie Highway, Village of Palmetto Bay, Miami-Dade County, Florida.
2. The applicant had requested approval of the following:
 - a) SPECIAL EXCEPTIONS to permit a new car sales agency with accessory used car sales and a repair facility in connection with a previously used car agency.
 - b) MODIFICATION of Condition #2 of Resolution Z-64-96, passed and adopted by the Board of County Commissioners and reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Auto Nation,' as prepared by E.D.S.A. & B & A Architects, dated stamped received 3/8/96 and consisting of 17 sheets; also 'Auto Nation U. S. A.,' as prepared by Chandler Signs, Inc., dated stamped received 4/10/96, except as herein modified."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Maroone Nissan of Kendall,' as prepared by Pavlik Design Team,' consisting of 7 pages, dated last revised 6/17/05 and landscape plans prepared by Rosenberg Gardner Design consisting of four pages, dated last revised 6/15/05."
 - c) MODIFICATION of Paragraph I and Conditions "A" and "B" of Paragraph II of Declaration of Restrictions recorded in Official Record Book 17240 at Pages 0320 through 0328 and reading as follows:

FROM: "I. Controlling Site Plan. The Property, if developed for the purposes set forth in the Application, will be developed substantially in accordance with the plans previously submitted to Dade County, entitled 'AUTONATION USA,' as prepared by Edward D. Stone, Jr. and Associates and Bermello, Ajamil & Partners, Inc., dated stamped received March 8, 1996 and consisting of 17 pages (the 'Plans'), said Plans being on file with Dade County and by reference made a part of this Declaration."

TO: "I. Controlling Site Plan. The Property will be developed for the purposes set forth in the Application, and will be developed substantially in accordance with the plans entitled 'Maroone Nissan of Kendall,' as prepared by Pavlik Design Team,' consisting of 7 pages, dated last revised 6/17/05 and landscape plans prepared by Rosenberg Gardner Design consisting of four pages, dated last revised 6/15/05. Said plans being on file with Miami-Dade County and by reference made a part of this Declaration."

FROM: "IIA. Use Restrictions. Notwithstanding the BU-3 zoning classification of the Property, the development and use of

the Property will be limited to a pre-owned automobile dealership, including accessory uses thereto, for any and all uses permitted under, and in accordance with, the BU-2 zoning district regulations of the Dade County Code, as currently in effect or as may be amended from time to time.

TO: "IIA. Use Restrictions. Notwithstanding the BU-3 zoning classification of the property, the development and use of the property will be limited to a new and used automobile dealership with repair facility including accessory uses thereto, for any and all uses permitted under, and in accordance with, the BU-2 zoning district regulations of the Code, as currently in effect or as may be amended from time to time.

FROM: "IIB. In connection with the use of the property as a pre-owned automobile dealership, the following restrictions shall limit the use of the property:

1. No stringer lights, pennants, mobile or stationary visual devices, except as permitted under point of sale sign regulations, or as approved at public hearing, shall be used or displayed.
2. Outdoor lights for the off-street parking areas and vehicle storage areas shall be no higher than fourteen feet (14' above grade when located within twenty feet (20') of the property zoned residential.
3. No outdoor loudspeakers shall be used.
4. No vehicle test drives shall be conducted on any residential, local traffic streets."

TO: "IIB. In connection with the use of the property as a new and used automobile dealership with repair facility, the following restrictions shall limit the use of the property:

1. No stringer lights, pennants, mobile or stationary visual devices, except as permitted under point of sale sign regulations, or as approved at public hearing, shall be used or displayed.
2. Outdoor lights for the off-street parking areas and vehicle storage areas shall be no higher than fourteen feet (14') above grade when located within twenty feet (20') of the property zoned residential.
3. No outdoor loudspeakers shall be used.
4. No vehicle test drives shall be conducted on any residential, local traffic streets."

The purpose of these requests is to permit the applicant to submit revised plans showing a new & used car dealership including a new repair facility building.

3. The village council adopts certain portions of the County and Village recommendation package: the Zoning Hearings History, Comprehensive Development Master Plan (CDMP), Neighborhood Characteristics, Site and

Buildings, Pertinent Requirements/ Standards; and Neighborhood Services as its findings of fact. The village council does not adopt the remainder of the county and village memorandum.

4. The mayor and village council specifically found traffic and noise to be a problem and incompatible with the surrounding community. Additionally, the council found that the site plan did not conform to the village's Planning Charette for Frango/US 1 Commercial Island; and Comprehensive Plan as to mixed use, pedestrian access, and vegetation.

Section 3. Conclusions of law.

The village council concludes that the application for a special exception to permit the modification of previously approved site plan to now allow a new and used automobile dealership and associated repair facility is inconsistent with the Planning Charrette for the Franjo Triangle/U.S. 1 Commercial Island for the present and future development of the area.

Section 4. Order.

1. The application for a special exception to permit the modification of previously approved site plan to allow for both a new and a used automobile dealership with an associated repair facility is denied without prejudice.
2. The application to modify two conditions of the declaration of restrictions filed with the Miami-Dade County recording office, which declaration was filed in conjunction with the original site plans is denied without prejudice. The village council found that the addition of new sales to the site would be incompatible with the Franjo /US 1 Commercial Island Planning Charette and village Comprehensive Plan.
3. The application is denied on the basis that the applicant did not submit evidence to carry its burden of proof on the applications presented.
4. This is a final order.

Section 5. Record.

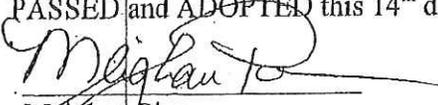
The record shall consist of the notice of hearing, the applications, documents submitted by the applicant and the applicant's representatives to the Miami-Dade County Department of Planning and Zoning in connection with the applications, the county recommendation and attached cover sheet and documents, the testimony of sworn witnesses and documents presented at the quasi-judicial hearing, and the audio recording and minutes of the hearing. The record shall be maintained by the village clerk.

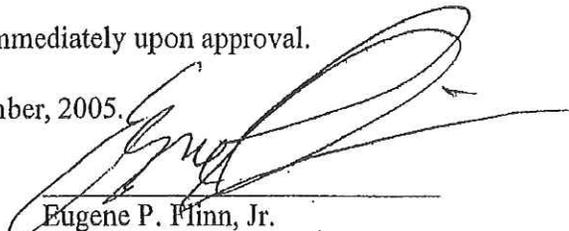
Section 6.

This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 14th day of November, 2005.

Attest:


Meighan Pier
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:


Eve A. Boutsis,
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller	<u>YES</u>
Council Member Paul Neidhart	<u>NO</u>
Council Member John Breder	<u>NO</u>
Vice-Mayor Linda Robinson	<u>YES</u>
Mayor Eugene P. Flinn, Jr.	<u>YES</u>

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RESOLUTION NO. 05-98

REGARDING ZONING APPLICATION 05-9-VPB1/04-96

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; MOVING TO REHEAR THE APPLICATION OF AN DEALERSHIP HOLDING CORP. FOR A SPECIAL EXCEPTION TO MODIFY PREVIOUSLY APPROVED PLANS FOR A USED AUTOMOBILE DEALERSHIP TO INCLUDE A NEW AND USED AUTOMOBILE DEALERSHIP AND AN ACCOMPANYING REPAIR FACILITY; AND AN APPLICATION TO MODIFY THE DELCARATION OF RESTRICTIONS ASSOCIATED WITH THE PREVIOUSLY APPROVED SITE PLANS TO ALLOW FOR NEW CAR SALES AT THE SITE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant made application for a special exception to permit the modification of previously approved plans in order to expand from simply a used automobile dealership to a new and used automobile dealership and repair facility, as described in the Miami-Dade Department of Planning and Zoning Recommendation to the Village of Palmetto Bay, which is attached to this resolution; and,

WHEREAS, the applicant also sought to modify two conditions from a previously filed declaration of restrictions tied to a prior site plan; in order to modify the restrictions to specifically provide for new car sales at the site; and

WHEREAS, the village council of the Village of Palmetto Bay conducted a quasi-judicial hearing on the application at Southwood Middle School on September 12, 2005, which was deferred and a final quasi-judicial hearing on the application was held on November 14, 2005, at Southwood Middle School, 16301 SW 80 Avenue; and,

WHEREAS, the mayor and village council seeks to rehear the application at its January 2006 zoning hearing; and,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

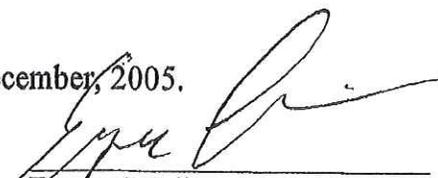
Section 1. The village council, by a majority vote moves to rehear the item at its January 2006 zoning hearing.

Section 2. This resolution shall take effect immediately upon approval.

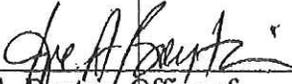
1 PASSED and ADOPTED this 5 day of December, 2005.

2 Attest:

3 
4 Meighan Pler
5 Village Clerk


Eugene P. Flinn, Jr.
Mayor

6 APPROVED AS TO FORM:

7 
8 Eve A. Boutsis, Office of
9 Village Attorney
10 Nagin Gallop & Figueredo, P.A.

11 FINAL VOTE AT ADOPTION:

12		
13		
14		
15	Council Member Ed Feller	<u>YES</u>
16		
17	Council Member Paul Neidhart	<u>YES</u>
18		
19	Council Member John Breder	<u>YES</u>
20		
21	Vice-Mayor Linda Robinson	<u>YES</u>
22		
23	Mayor Eugene P. Flinn, Jr.	<u>YES</u>
24		

25 K:\VillageClerk\December 5, 2005\Res-Autonation.doc
26



1301 EAST BROWARD BLVD.
 FORT LAUDERDALE, FL 33301
 TEL: 754.344.1111
 FAX: 754.344.8270



AutoNation
 USA



Maroone
 Nissan of
 Kendall
 1301 East Broward Blvd.
 Fort Lauderdale, FL 33301

Cover
 Sheet

ID-00

Maroone Nissan of Kendall

January 17th, 2005

new
204 96
RD

- INDEX OF DRAWINGS
- 1. COVER SHEET
- 2. GENERAL NOTES
- 3. EXTERIOR VIEW
- 4. INTERIOR VIEW
- 5. ELECTRICAL SYMBOLS
- 6. DIMENSIONS
- 7. MATERIALS
- 8. FINISHES
- 9. EQUIPMENT
- 10. ACCESSORIES
- 11. OPTIONS
- 12. WARRANTY
- 13. SERVICE CONTRACTS
- 14. FINANCING
- 15. LEASING
- 16. RENTALS
- 17. MAINTENANCE
- 18. INSURANCE
- 19. TITLING
- 20. REGISTRATION
- 21. SALES TAX
- 22. DELIVERY
- 23. RECEIPT
- 24. RETURN POLICY
- 25. CONTACT INFORMATION

INDEX OF DRAWINGS 1

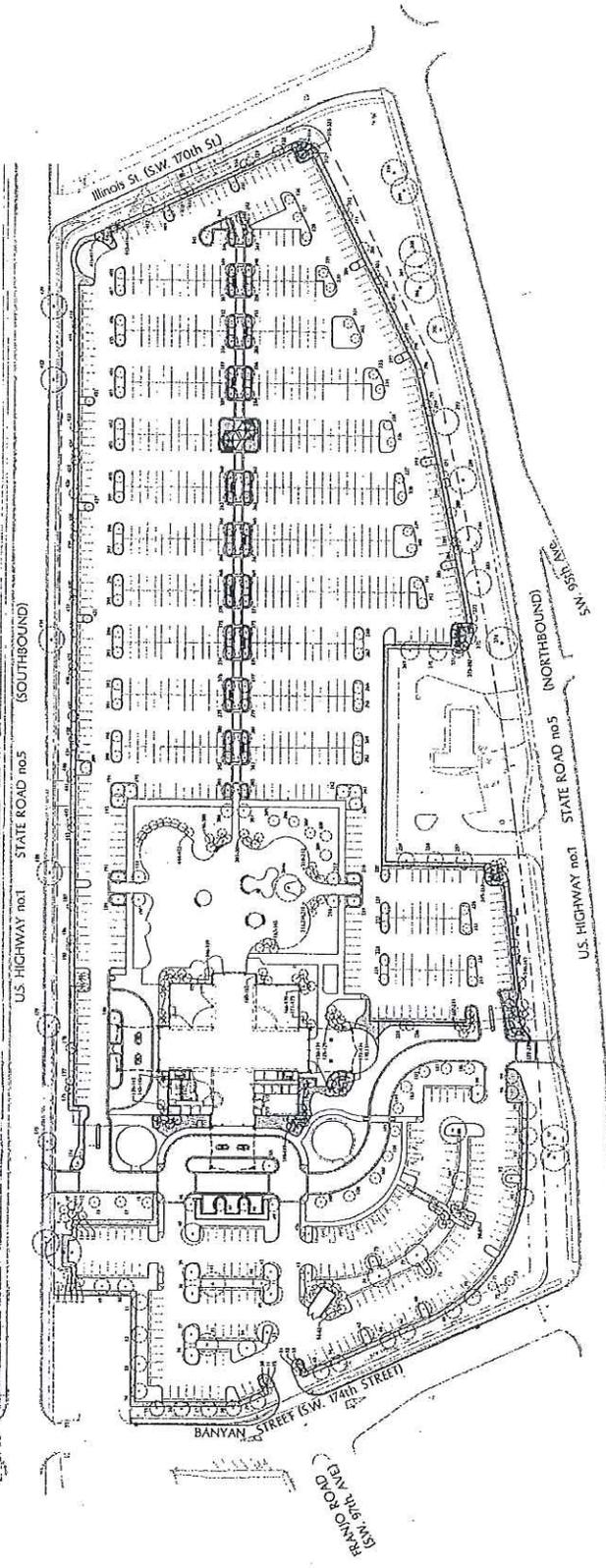


DATE	11/17/2005
DRAWN BY	MR
CHECKED BY	
SCALE	
SHEET NO.	
TOTAL SHEETS	

Existing Tree
Disposition
Plan

17035 SOUTH DIXIE HIGHWAY
OF KENDALL
MAROONE NISSAN

ROSENBERG
GARDNER
DESIGN
LANDSCAPE ARCHITECTURE
LAND PLANNING
ARCHITECTURE



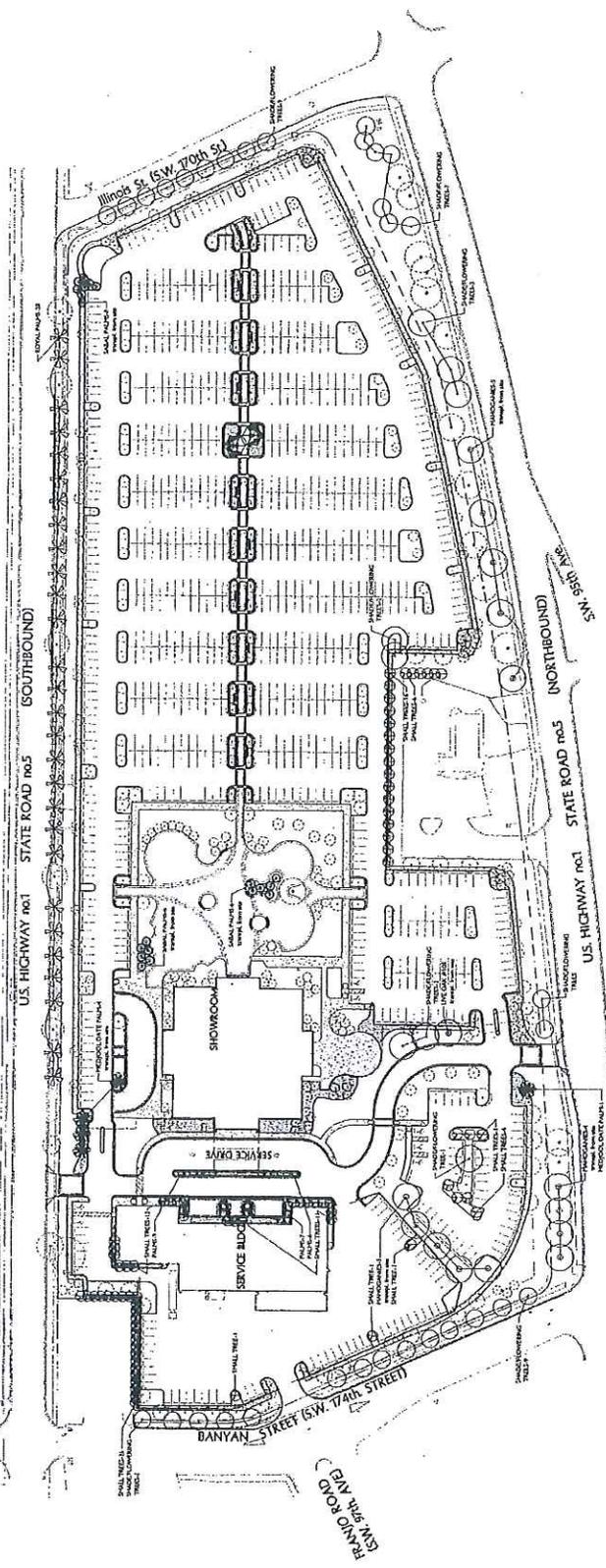
REFER TO SHEET LA-2 FOR EXISTING TREE
DISPOSITION LIST AND TRANSPLANTING
NOTES



Conceptual Site Plan

MAROONE NISSAN
 OF KENDALL
 17035 SOUTH DIXIE HIGHWAY

ROSENBERG
 GARDNER
 DESIGN
 LANDSCAPE ARCHITECTURE
 10000 SW 15th Ave, Suite 100
 Miami, Florida 33185
 Phone: 305.556.1100
 Fax: 305.556.1101
 Email: info@rosengardner.com



TREE LEGEND

- SHADY/CONSPICUOUS TREES (min. planted size = 12" dbh, 3' cal)
- ⊕ SMALL TREES (min. planted size = 8" dbh, 2' cal, native species)
- ⊗ PALMS (min. planted size = 12" dbh)
- SHRUBS (min. planted size = 3 gallon cal)



od
 O'DONNELL
 ARCHITECTURE, INC.
 1301 EAST BROWARD BLVD.
 FORT LAUDERDALE, FL 33301
 TEL: 954 332 2000
 FAX: 954 332 2070

**Automation
 USA**
 10000 W. 11th Ave., Suite 100
 Fort Lauderdale, FL 33324
 TEL: 954 332 2000
 FAX: 954 332 2070



**Maroone
 Nissan of
 Kendall**
 10000 W. 11th Ave., Suite 100
 Fort Lauderdale, FL 33324
 TEL: 954 332 2000
 FAX: 954 332 2070

**Landscape
 and
 Site Plan**
 P-1007

A101

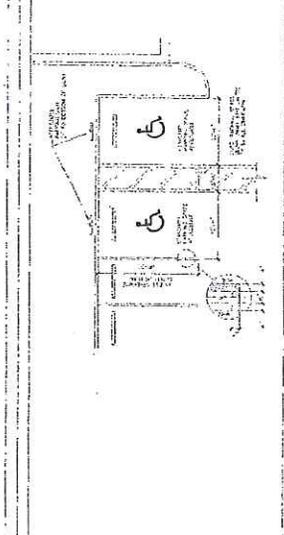
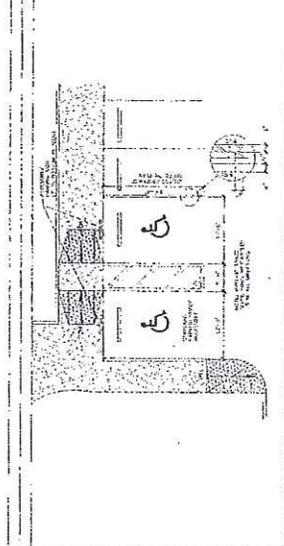
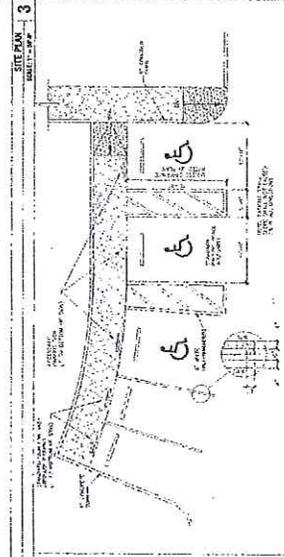
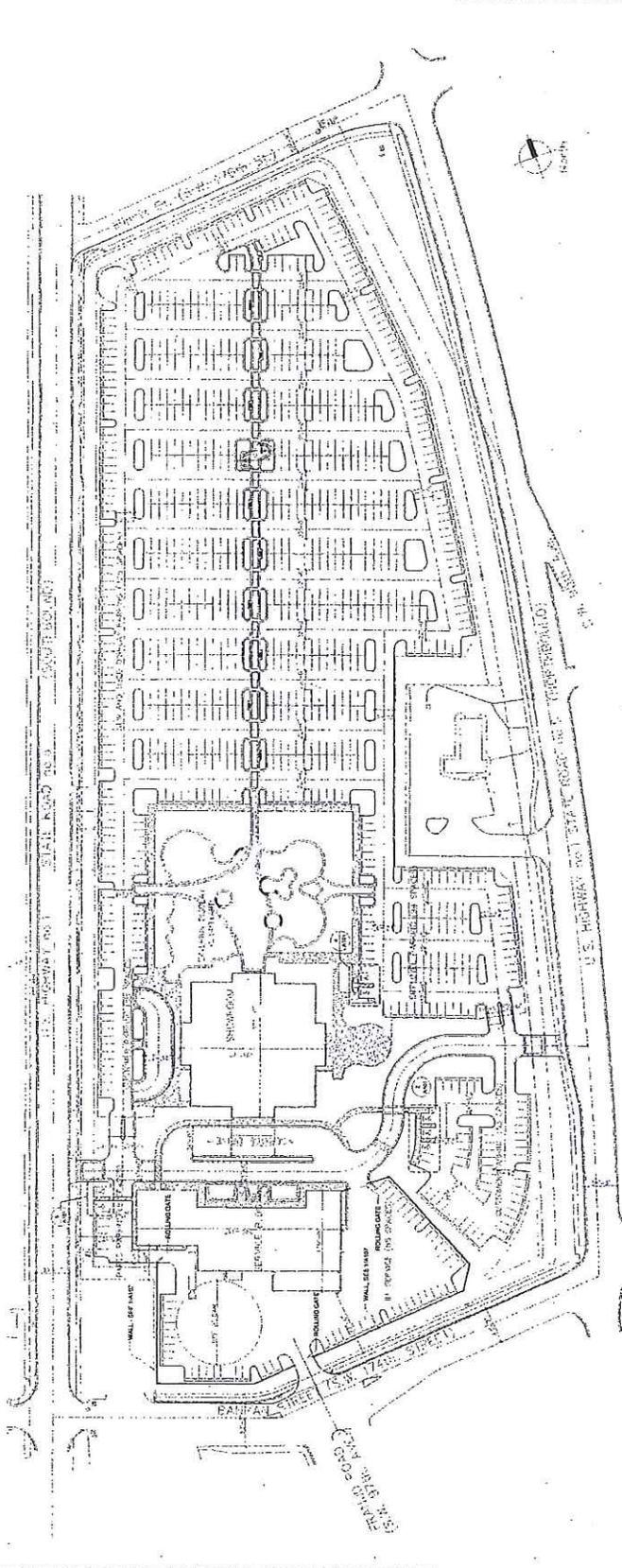


TABLE 1: GENERAL NOTES

- SEE ARCHITECTURAL DRAWINGS FOR ALL DETAILS.

TABLE 2: SITE DATA

A. ZONING: 100-14 (MEDIUM DENSITY RESIDENTIAL)
 B. LOT AREA: 142,800 SQ. FT.

TABLE 3: SITE COVERAGE

ITEM	AREA (SQ. FT.)	PERCENT
1. BUILDING	142,800	100%
2. DRIVEWAYS	4,100	2.9%
3. PARKING	42,440	29.7%
4. TOTAL	189,340	132.6%

TABLE 4: SEWER & WATER REQUIREMENTS

ITEM	TYPE	DIAMETER (IN.)	LENGTH (FT.)	DEPTH (FT.)
1	SEWER	18"	100'	4'
2	WATER	12"	100'	4'

TABLE 5: LANDSCAPE & BASE SHIELDED PARKING DETAIL

ITEM	AREA (SQ. FT.)	PERCENT
1. LANDSCAPE	142,800	100%
2. BASE SHIELDED PARKING	4,100	2.9%
3. TOTAL	146,900	102.9%

TABLE 6: ZONING INFORMATION

100-14 (MEDIUM DENSITY RESIDENTIAL)
 100-14 (MEDIUM DENSITY RESIDENTIAL)
 100-14 (MEDIUM DENSITY RESIDENTIAL)



PAULIK
DESIGN
TEAM
ARCHITECTURE, LLC
ARCHITECT

101 EAST BROADWAY BLVD.
PORTLAND, ME 04101
TEL: (603) 333-3300
FAX: (603) 333-8770

ALUMINUM
USA

ALUMINUM USA
10000 South Drive Highway
Houston, TX 77036
Tel: (281) 485-2200
Fax: (281) 485-2201

ALUMINUM USA
10000 South Drive Highway
Houston, TX 77036
Tel: (281) 485-2200
Fax: (281) 485-2201

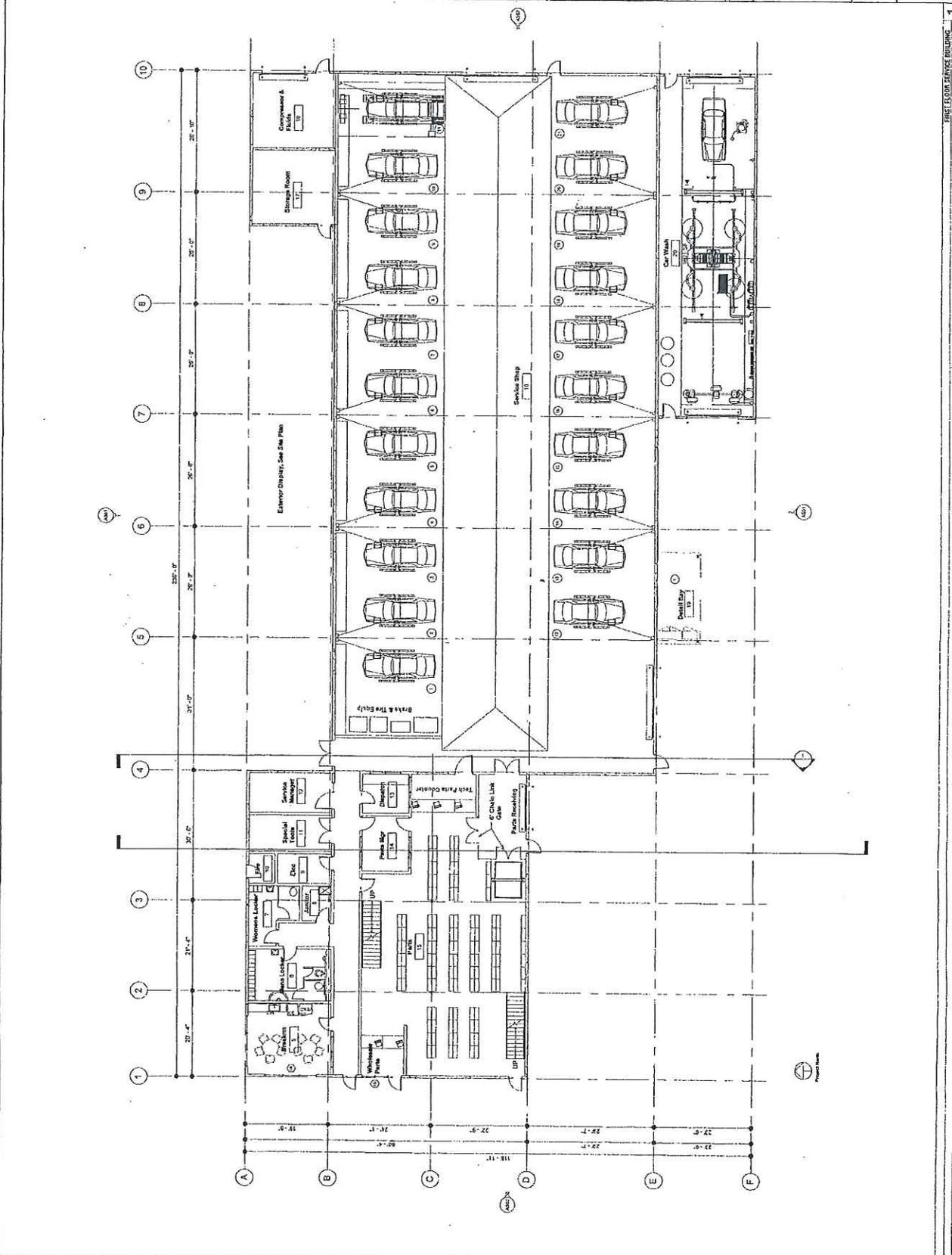


DONALD J. PAULIK
ARCHITECT
LICENSE NO. 13322
STATE OF MAINE
10000 South Drive Highway
Houston, TX 77036
Tel: (281) 485-2200
Fax: (281) 485-2201

**Maroone
Nissan of
Kendall**

**First Floor
Plan
Sery. Bldg.**

A201
1/8" = 1'-0"



FIRST FLOOR SERVICE BUILDING
SCALE: 1/8" = 1'-0"



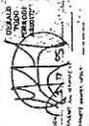
PAUL
DUNN
ARCHITECTS
P.A.

1001 EAST BROADWAY, SUITE 1500
DENVER, COLORADO 80202
TEL: 303.733.2000
FAX: 303.733.8700



AutoNation
USA
11000 E. Harvard Ave., Suite 100
Denver, CO 80231

DESIGNED BY: PAUL DUNN ARCHITECTS P.A.
DATE: 08/11/09
PROJECT NO.: 09-001
DRAWING NO.: 09-001-001
SCALE: AS SHOWN
DATE PLOTTED: 08/11/09 10:00 AM
PLOTTER: HP DesignJet 5000PS
PLOTTER MODEL: 3000PS
PLOTTER DRIVER: HPGL-ETL
PLOTTER LANGUAGE: HP-GL/2
PLOTTER RESOLUTION: 600 DPI
PLOTTER PAPER SIZE: 36x48 INCHES
PLOTTER PAPER TYPE: HP DesignJet 5000PS
PLOTTER PAPER WEIGHT: 100 LB/30 G
PLOTTER PAPER COLOR: WHITE
PLOTTER PAPER FINISH: UNFINISHED
PLOTTER PAPER GRADE: HP DesignJet 5000PS
PLOTTER PAPER TYPE: HP DesignJet 5000PS
PLOTTER PAPER WEIGHT: 100 LB/30 G
PLOTTER PAPER COLOR: WHITE
PLOTTER PAPER FINISH: UNFINISHED
PLOTTER PAPER GRADE: HP DesignJet 5000PS
PLOTTER PAPER TYPE: HP DesignJet 5000PS
PLOTTER PAPER WEIGHT: 100 LB/30 G
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PLOTTER PAPER FINISH: UNFINISHED
PLOTTER PAPER GRADE: HP DesignJet 5000PS

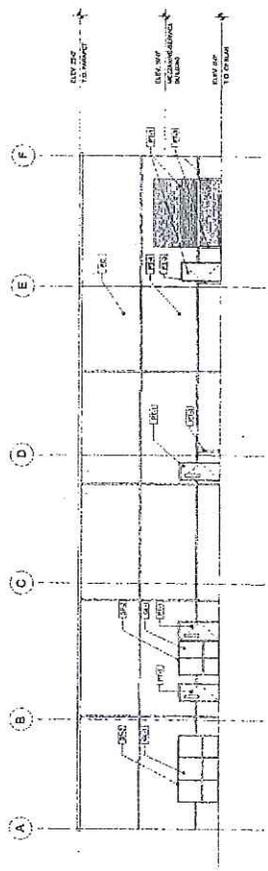


Maroon Nissan Kendall
17002 South Derry Parkway
Kendall, CO 80155

**Maroon
Nissan of
Kendall**

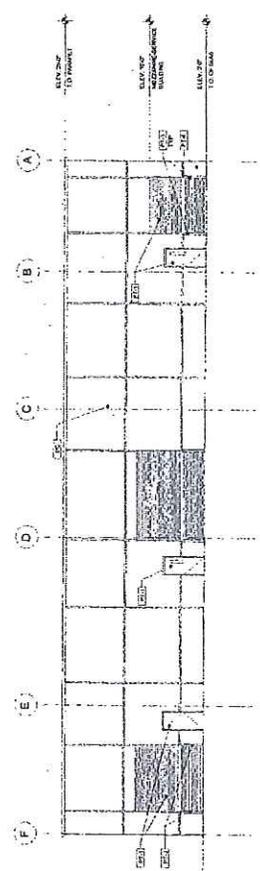
**Serv. Bldg.
Exterior
Elevations**

A502



WEST ELEVATION - SERVICE BUILDING
SCALE: 1/4" = 1'-0"

2



EAST ELEVATION - SERVICE BUILDING
SCALE: 1/4" = 1'-0"

1



301 EAST BROADWAY BLVD.
 FORT LAUDERDALE, FL 33301
 TEL: 954.523.3300
 FAX: 954.521.8770



Automation
 USA
 10000 W. 11th Ave., Suite 100
 Fort Lauderdale, FL 33324
 TEL: 954.523.3300
 FAX: 954.521.8770



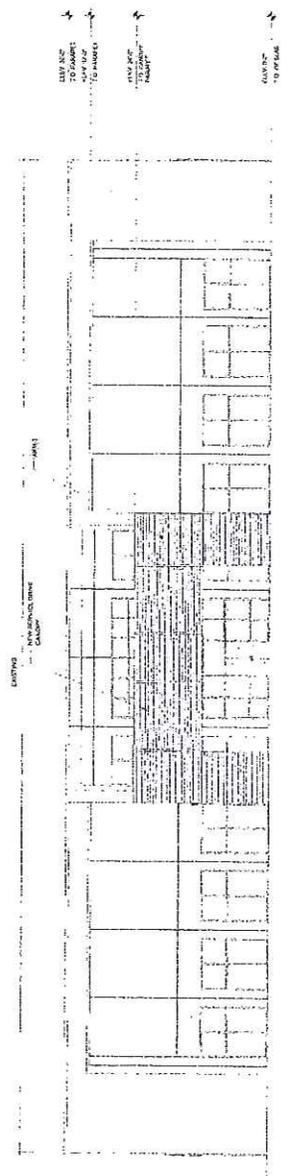
**Maroone
 Nissan of
 Kendall**
 1730 South Dixie Highway
 Kendall, FL 33157

**Showroom
 Exterior
 Elevations**
 VP-11P

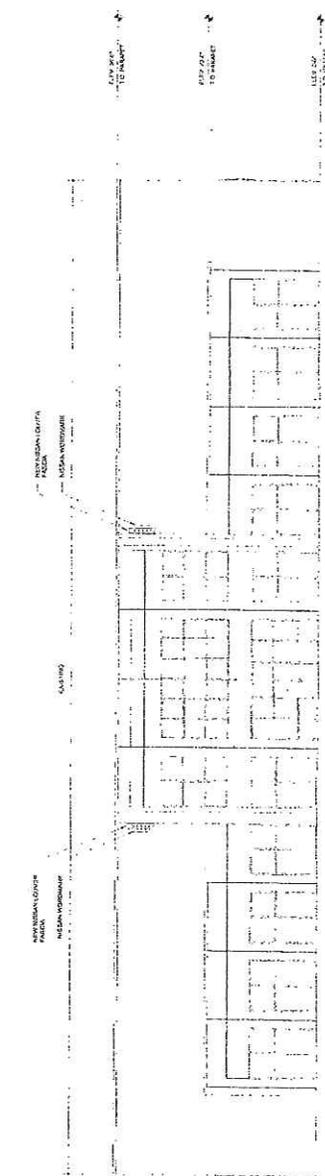
A504

SYMBOL	MANUFACTURER	FINISH	NOTES
10	PRELAC/COVE	TO	TO MATCH ADJACENT
11	REPAIR/REINFORCED	CONCRETE/STAINLESS	REPAIR/REINFORCED
12	COMPRESSIVE PANEL	ALUMINUM	ALUMINUM
13	WALDOCKING	ALUMINUM	ALUMINUM
14	PAINT	PAINT	PAINT
15	SEE SPEC	SEE SPEC	SEE SPEC
16	SEE SPEC	SEE SPEC	SEE SPEC
17	SEE SPEC	SEE SPEC	SEE SPEC
18	SEE SPEC	SEE SPEC	SEE SPEC
19	SEE SPEC	SEE SPEC	SEE SPEC
20	SEE SPEC	SEE SPEC	SEE SPEC
21	SEE SPEC	SEE SPEC	SEE SPEC
22	SEE SPEC	SEE SPEC	SEE SPEC
23	SEE SPEC	SEE SPEC	SEE SPEC
24	SEE SPEC	SEE SPEC	SEE SPEC
25	SEE SPEC	SEE SPEC	SEE SPEC
26	SEE SPEC	SEE SPEC	SEE SPEC
27	SEE SPEC	SEE SPEC	SEE SPEC
28	SEE SPEC	SEE SPEC	SEE SPEC
29	SEE SPEC	SEE SPEC	SEE SPEC
30	SEE SPEC	SEE SPEC	SEE SPEC
31	SEE SPEC	SEE SPEC	SEE SPEC
32	SEE SPEC	SEE SPEC	SEE SPEC
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34	SEE SPEC	SEE SPEC	SEE SPEC
35	SEE SPEC	SEE SPEC	SEE SPEC
36	SEE SPEC	SEE SPEC	SEE SPEC
37	SEE SPEC	SEE SPEC	SEE SPEC
38	SEE SPEC	SEE SPEC	SEE SPEC
39	SEE SPEC	SEE SPEC	SEE SPEC
40	SEE SPEC	SEE SPEC	SEE SPEC
41	SEE SPEC	SEE SPEC	SEE SPEC
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100	SEE SPEC	SEE SPEC	SEE SPEC

NOTES 3



NOTES 2



NOTES 1

Automation
 USA
 10000 W. 11th Ave., Suite 100
 Fort Lauderdale, FL 33324
 TEL: 954.523.3300
 FAX: 954.521.8770

POSTING NOTICE

VPB-12-003 A.N. DEALERSHIP HOLDINGS, INC.



ZONING HEARING

PERTAINING TO THIS PROPERTY TO BE

HELD AT
ADDRESS

VILLAGE HALL

9705 EAST HIBISCUS STREET

PURPOSE OF HEARING:



DATE:

MAY 21 2012

TIME:

7 00 PM

HEARING No:

VPB-12-003

FOR FURTHER DETAILS CALL:

305-259-1271

VILLAGE OF PALMETTO BAY
DEPARTMENT OF
PLANNING AND ZONING

04/20/2012 12:00



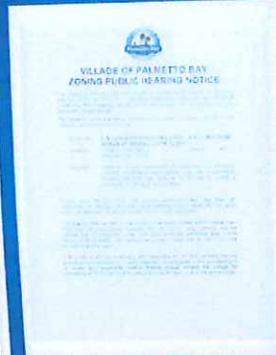
ZONING HEARING

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DATE:

MAY 21 2012

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FOR FURTHER DETAILS CALL:

305-259-1271

**VILLAGE OF PALMETTO BAY
DEPARTMENT OF
PLANNING AND ZONING**

04/20/2012 11:58